

Merton Council

Planning Applications Committee

Membership

Councillors

Linda Kirby (Chair)

John Bowcott (Vice-Chair)

Tobin Byers

David Dean

Ross Garrod

Daniel Holden

Abigail Jones

Philip Jones

Peter Southgate

Geraldine Stanford

Substitute Members:

Janice Howard

Najeeb Latif

Ian Munn BSc, MRTPI(Rtd)

John Sargeant

Imran Uddin

A meeting of the Planning Applications Committee will be held on:

Date: 16 July 2015

Time: 7.15 pm

Venue: Council chamber - Merton Civic Centre, London Road, Morden SM4 5DX

This is a public meeting and attendance by the public is encouraged and welcomed. If you wish to speak please see notes after the list of agenda items. For more information about the agenda and the decision making process contact democratic.services@merton.gov.uk or telephone 020 8545 3357

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Planning Applications Committee

16 July 2015

- 1 Declarations of interest
- 2 Apologies for absence
- 3 Minutes of the Previous Meeting 1 - 10
Officer Recommendation:
That the Minutes of the meeting held on 18 June 2015 be agreed as a correct record.
- 4 Town Planning Applications - Covering Report 11 - 14
Officer Recommendation:
The recommendations for each individual application are detailed in the relevant section of the reports. (NB. The recommendations are also summarised on the index page at the front of this agenda).
- 5 13 Chester Road, West Wimbledon, SW19 4TS (Ref. 15/P0870) (Village Ward) 15 - 28
Officer Recommendation:
Grant Permission subject to conditions.
- 6 187 Commonside East, Mitcham, CR4 1HB (Ref 14/P0729) (Pollards Hill Ward) 29 - 54
Officer Recommendation:
Grant Permission subject to conditions.
- 7 94-96 Haydons Road and 1-3 Quicks Road, South Wimbledon, SW19 1HJ (Ref. 15/P2070) (Abbey Ward) 55 - 94
Officer Recommendation:
Grant Permission subject to S.106 Obligation and conditions.
- 8 2-6 High Street, Colliers Wood, SW19 2AG (Ref 15/P0211) (Colliers Wood Ward) 95 - 142
Officer Recommendation:
Grant Permission subject to S.106 Obligation and conditions.
- 9 Former Express Dairy, North Lodge, 166-168 London Road, Morden SM4 5AT (Ref. 14/P3362) (Merton Park Ward) 143 - 190
Officer Recommendation:
Grant Permission subject to S.106 Obligation and conditions.

- | | | |
|----|--|-----------|
| 10 | Planning Appeal Decisions | 191 - 194 |
| | Officer Recommendation:
That Members note the contents of the report. | |
| 11 | Planning Enforcement - Summary of Current Cases | 195 - 200 |
| | Officer Recommendation:
That Members note the contents of the report. | |

Declarations of Pecuniary Interests

Members are reminded of the need to have regard to the items published with this agenda and, where necessary to declare at this meeting any Disclosable Pecuniary Interest (as defined in the The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Council's Assistant Director of Corporate Governance.

Declarations of Pecuniary Interests – Members of the Design and Review Panel (DRP)

Members of the Planning Applications Committee (PAC), who are also members of the DRP, are advised that they should not participate in an item which has previously been to DRP where they have voted or associated themselves with a conclusion reached or recommendation made. Any member of the PAC who has also sat on DRP in relation to items on this PAC agenda must indicate whether or not they voted in such a matter. If the member has so voted they should withdraw from the meeting.

NOTES

- 1) **Order of items:** Please note that items may well be not considered in the order in which they are shown on the agenda since the items for which there are many observers or speakers are likely to be prioritised and their consideration brought forward.
- 2) **Speakers:** Councillors and members of the public may request to speak at the Committee. Requests should be made by telephone to the Development Control Admin. Section on 020-8545-3445/3448 (or e-mail: planning@merton.gov.uk) no later than 12 Noon on the last (working) day preceding the meeting. For further details see the following procedure note.
- 3) **Procedure at Meetings:** Attached after this page is a brief note of the procedure at Planning Application Committee meetings in relation to
 - a. requests to speak at meetings; and
 - b. the submission of additional written evidence at meetings. Please note that the distribution of documentation (including photographs/ drawings etc) by the public during the course of the meeting will not be permitted.
- 4) **Copies of agenda:** The agenda for this meeting can be seen on the Council's web-site (which can be accessed at all Merton Libraries). A printed hard copy of the agenda will also be available for inspection at the meeting.

Procedure at meetings of the Planning Applications Committee

- 1 Public speaking at the Planning Applications Committee
- 2 Submission of additional written evidence at meetings

1 Public speaking at the Planning Applications Committee

- 1.1 The Council permits persons who wish to make representations on planning applications to speak at the Committee and present their views. The number of speakers for each item will be at the discretion of the Committee Chair, but subject to time constraints there will normally be a maximum of 3 objectors (or third party) speakers, each being allowed to speak for a maximum of 3 minutes.
- 1.2 Following the issue of the agenda, even if a person has previously indicated their wish to address the Committee, they should contact either
 - the Planning Officer dealing with the application (or e-mail: planning@merton.gov.uk) or
 - the Development Control Admin. Section on 020-8545-3445/3448 (9am – 5pm); or
 - the Development Control hotline 020-8545-3777 (open 1pm – 4pm only).
- 1.3 Requests to speak must be received by 12 noon on the day before the meeting, and should include the person's name, address, and daytime contact phone number (or e-mail address) and if appropriate, the organisation they represent; and also clearly indicate the application, on which it is wished to make representations.
- 1.4 More speakers may be permitted in the case of exceptional circumstances/major applications, but representatives of political parties will not be permitted to speak. (See also note 1.10 below on Ward Councillors/Other Merton Councillors.)
- 1.5 If a person is aware of other people who wish to speak and make the same points, then that person may wish to appoint a representative to present their collective views or arrange that different speakers raise different issues. Permission to speak is at the absolute discretion of the Chair, who may limit the number of speakers in order to take account the size of the agenda and to progress the business of the Committee.
- 1.6 Applicants (& agents/technical consultants): Applicants or their representatives may be allowed to speak for the same amount of time as the sum of all objectors for each application. (For example, if objectors are allowed to speak for three minutes each, then if there was only one objector, the applicant may be allowed to speak for a maximum of 3 minutes; but if there were 2 objectors, the applicant may be allowed to speak for a maximum of 6 minutes and so on.)
- 1.7 Unless applicants or their representatives notify the Council to the contrary prior to the Committee meeting, it will be assumed that they will be attending the meeting and if there are objectors speaking against their application, will take the opportunity to address the Committee in response to the objections.

- 1.8 When there are no objectors wishing to speak, but the application is recommended for refusal, then the Applicants or their representatives will also be allowed to speak up to a maximum of 3 minutes.
- 1.9 Applicants will not be allowed to speak if their application is recommended for approval and there are no objectors speaking. An exception will be made if an applicant (or their representative) wishes to object to the proposed conditions; and in this case they will be allowed to speak only in relation to the relevant conditions causing concern.
- 1.10 Speaking time for Ward Councillors/Other Merton Councillors: Councillors, who are not on the Committee, may speak for up to a maximum of 3 minutes on an application, subject to the Chair's consent, but may take no part in the subsequent debate or vote. Such Councillors, however, subject to the Chair's consent, may ask questions of fact of officers.
- 1.11 Such Councillors, who are not on the Committee, should submit their request to speak by 12 noon on the day before the meeting (so that their name can be added to the list of speaker requests provided to the Chair). Such requests may be made to the Development Control Section direct (see 1.2 above for contact details) or via the Councillor's Group office.
- 1.12 Points of clarification from applicants/objectors: If needed, the Chair is also able to ask applicants/objectors for points of clarification during the discussion of an application.

2 Submission of additional written evidence at meetings

- 2.1 The distribution of documentation (including photographs/drawings etc) during the course of the Committee meeting will not be permitted.
- 2.2 Additional evidence that objectors/applicants want to provide Committee Members (i.e. Councillors) to support their presentation (when speaking) must be submitted to Merton Council's Development Control Section before 12 Noon on the day before the relevant Committee meeting.
- 2.3 If an applicant or objector wishes to circulate additional information in hard copy form to Committee Members, they are required to provide 16 hard copies to the Planning Officer dealing with the application before 12 Noon on the day before the meeting.
- 2.4 Any queries on the above should be directed to:
 - planning@merton.gov.uk or;
 - the Development Control hotline 020-8545-3777 (open 1pm – 4pm only).
 - Contact details for Committee Members and all other Councillors can be found on the Council's web-site: <http://www.merton.gov.uk>

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at www.merton.gov.uk/committee.

PLANNING APPLICATIONS COMMITTEE

18 JUNE 2015

(19.15 - 22.50)

PRESENT: Councillors Councillor Linda Kirby (in the Chair),
Councillor John Bowcott, Councillor Tobin Byers,
Councillor David Dean, Councillor Ross Garrod,
Councillor Daniel Holden, Councillor Geraldine Stanford,
Councillor Ian Munn (Substitute for Councillor Philip Jones),
Councillor John Sargeant (Substitute for Councillor Peter
Southgate) and Councillor Imran Uddin (Substitute for Councillor
Abigail Jones)

ALSO PRESENT: Councillors Hamish Badenoch, Stephen Crowe and Marsie
Skeete

Jonathan Lewis (South Team Leader - Development Control)),
Michael Udall (Democratic Services), Sue Wright (North Team
Leader - Development Control), Neil Milligan (Development
Control Manager, ENVR) and David Gardiner (Planning
Technician)

1 FILMING (Agenda Item)

The Chair confirmed that, as stated on the agenda, the meeting would be filmed and broadcast via the Council's web-site.

2 DECLARATIONS OF INTEREST (Agenda Item 1)

None.

3 APOLOGIES FOR ABSENCE (Agenda Item 2)

Apologies for absence were received from Councillors Abigail Jones, Philip Jones and Peter Southgate.

4 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the Minutes of the meeting held on 21 May 2015 be agreed as a correct record.

5 TOWN PLANNING APPLICATIONS - COVERING REPORT (Agenda Item 4)

The published agenda and the modifications sheet tabled at committee form part of the Minutes.

(a) Modifications Sheet: A list of modifications for items 5, 6, 8, 9, 10 & 11 and additional letters/representations and drawings received since agenda publication, were tabled at the meeting.

(b) Oral representations: The Committee received oral representations at the meeting made by third parties and applicants/agents in respect of items 5, 6, 7, 9, 10, & 11. In each case where objectors spoke, the Chair also offered the applicants/agents the opportunity to speak; and the Chair also indicated that applicants/agents would be given the same amount of time to speak as objectors for each item.

The Committee also received oral representations at the meeting from the following Councillors (who were not members of the Committee for this meeting) in respect of the items indicated below –

Item 5 – Councillor Stephen Crowe

Item 6 – Councillor Marsie Skeete

Item 7 – Councillor Stephen Crowe

Item 9 – Councillor Hamish Badenoch

(c) Order of the Agenda – Following consultation with other Members at various times during the meeting, the Chair amended the order of items to the following - 6, 11, 9, 7, 10, 5 & then 8.

RESOLVED : That the following decisions are made:

- 6 PHOENIX HOUSE, 2A AMITY GROVE, RAYNES PARK, SW20 0LJ (REF. 15/P1214) (RAYNES PARK WARD) (Agenda Item 5)

Proposal - Demolition of the existing three storey West Wimbledon College building (Use Class D1 - 526 square metres) and the erection of a new four storey building with additional basement level at the front of the site providing retail, financial services, business, non-residential institutions or assembly and leisure use (Use Class A1, A2, B1, or D1- 278 square metres) at basement and ground floor level with floor space to the rear of the commercial space and in a second detached building with floor space at basement and ground floor level providing a total of 9 flats (4 three bedroom; 3 two bedroom and 2 one bedroom) including 4 off street car parking spaces with vehicle access from Amity Grove.

Decision: Item 6 - ref. 15/P1214 (Phoenix House, 2a Amity Grove, Raynes Park, SW20 0LJ)

GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report and the tabled modifications sheet

- 7 14 BURLEY CLOSE, STREATHAM, SW16 4QQ (REF 15/P0499) (LONGTHORNTON WARD) (Agenda Item 6)

1. Proposal - Change of use from a 6 bedroom House in Multiple Occupation (Use Class C4) to a 7 bedroom House in Multiple Occupation (Sui Generis) involving internal alterations.

2. Shared Space - Officers explained that

(a) the previously refused application for change of use of the property to an 8 bedroom house in multiple occupation (HMO) had included a shared communal space of about 30sqm;

(b) the London Plan standard for an HMO of 6 persons was provision of 31sqm of shared space;

(c) the property was currently used as an HMO for up to 6 people;

(d) the current application was for an HMO for up to 7 people with -

(i) an L-shaped shared space of about 42sqm, formed by removing an internal wall into an area described on the plans as offices; and

(ii) the use of the garage as an extra bedroom; and

(e) there was no specific standard for an HMO for up to 7 people as regards the amount of shared space, but the current proposal provided for an increase of some 30% in shared space and one extra person.

3. Possible Sub-Division of Shared Space – Officers advised that if Members were concerned that the proposed shared L-shaped communal space would be inadequate to provide for different activities at the same time, then it would be possible to impose a condition requiring that the space be restructured to provide some sub-division.

4. Discussion – There was extensive discussion of the proposals. Members were concerned that current proposal didn't overcome all of the issues raised by the Inspector in dismissing an appeal for the refused application for an HMO for up to 8 persons, including the provision of adequate internal space in the building for relaxation/leisure and for visitors.

4.1 Members recognised that the application should not be refused on the same grounds as the previous refusal for an HMO for up to 8 persons (as detailed in para. 4.1, page 59). Members concluded that the application should be refused on the basis that it was still contrary to Policy CS.14 (b) (vi) of the Core Strategy Policy (July 2011), and in particular that the application failed to overcome all of the issues raised by the Inspector, as set out in her decision letter in paragraph 19 (on agenda page 76). It was noted that some of the wording of paragraph 19 would need to be amended to be applicable to the current application.

5. Refusal Motion: It was moved and seconded that permission be refused on this basis as detailed below. The motion was carried by 6 votes to 4 (Councillors Tobin Byers, John Bowcott, Daniel Holden and Najeeb Latif dissenting). Subsequently the Committee agreed that officers be delegated authority to agree the detailed grounds of refusal and also agreed (C) below.

Decision: Item 7 - ref. 15/P0499 (14 Burley Close, Streatham, SW16 4QQ)

(A) subject to detailed grounds of refusal being agreed in accordance with (B) below, REFUSE permission on grounds relating to the following -
(i) The application had failed to overcome all of the issues raised by the Inspector, as set out in her decision letter in paragraph 19 (on agenda page 76) in relation to a previous application for an HMO for up to 8 persons) which stated -

“I therefore find that the proposal would not provide adequate internal amenity space and as such is contrary to criterion (b) (vi) of Core Planning Strategy Policy CS.14. The proposal fails to fully comply with the guidance set out in the Appendix A to the Housing SPG adopted in November 2012 and therefore conflicts with the requirement of Core strategy Policy CS14 (d) that all residential development complies with the most appropriate space standards.”

(B) Delegation: The Director of Environment & Regeneration be delegated authority to agree the detailed grounds of refusal, including any appropriate amendments, additions and/or deletions to the proposed grounds/policies.

(C) Reasons for not following Planning Officers' recommendation for permission: The Committee disagreed with the views in the officer report on the application of Policy CS.14 of the Merton Sites and Policies Plan (July 2014) to this case.

8 UPTON COURT, 2 THE DOWNS, WEST WIMBLEDON, SW20 8JB (REF. 14/P0615) (RAYNES PARK WARD) (Agenda Item 7)

1. Proposal - Erection of additional storey on rooftop of Upton Court to create new 2 bed flat.

2. Noise – Officers advised that noise between floors would be a matter for Building Regulations, and that in relation to the previously refused scheme for two rooftop flats, the Inspectors concerns had mainly related to possible disturbance to the bedrooms below and close to the substantial terraces, whereas the current scheme was smaller and would only have a small terrace set back from the building edge.

3. Approval – The application was approved by 7 votes to 1 (Councillor Daniel Holden dissenting).

Decision: Item 8 - ref.14/P0615 (Upton Court, 2 The Downs, West Wimbledon, SW20 8JB)

GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report.

9 EAGLE HOUSE, HIGH STREET, WIMBLEDON, SW19 5EF (REF. 14/P3027 & 14/P3029) (VILLAGE WARD) (Agenda Item 8)

Proposal -

(a) Erection of extensions and external and internal alterations including dormer

windows and erection of front outbuilding in connection with conversion of Grade II* Listed Building from B1 offices to form 9 Self-Contained Residential Flats
(b) Listed Building Consent for erection of extensions and external and internal alterations including dormer windows and frontage building in connection with conversion of Grade II* listed building from B1 offices to 9 residential apartments.

Decision: Item 9(a) - ref. 14/P3027 (Eagle House, High Street, Wimbledon, SW19)

GRANT PERMISSION subject to the conditions set out in the officer case report and the tabled modifications sheet.

Decision: Item 9(b) - ref. 14/P3029 (Eagle House, High Street, Wimbledon, SW19)

GRANT LISTED BUILDING CONSENT subject to the conditions set out in the officer case report and the tabled modifications sheet.

10 27 LINDISFARNE ROAD, WEST WIMBLEDON, SW20 0NW (REF. 15/P0940)
(VILLAGE WARD) (Agenda Item 9)

1. Proposal – Demolition of Existing House and Erection of 2 x 6 bedroom detached houses.

2. Metropolitan Open Land (MOL) – Officers confirmed that a condition was proposed requiring landscaping, including further tree planting, on the boundary with the MOL

3. Extra Informative – Damage to Highway – Reference was to objectors concerns that Lindisfarne Road was a private road and that there should be a legal agreement that the developer bear the cost of any damage to the road caused by construction traffic. Officers advised that this was not a planning issue and so could not be imposed as a condition, but that it would be possible to give a reminder to the applicant by means of an appropriate Informative. As indicated below, the Committee subsequently agreed that such an Informative be added.

4. Approval – The application was approved by 6 votes to 2 (Councillors Tobin Byers and Ian Munn dissenting).

Decision: Item 10 - ref. 15/P0940 (27 Lindisfarne Road, West Wimbledon, SW20 0NW)

GRANT PERMISSION subject to the conditions set out in the officer case report and the tabled modifications sheet; and subject to the following –

Extra Informative – Damage to Highway - An Informative be added to remind the applicant that the developer has a responsibility to make good any damage to the highway caused by construction traffic for the development.

11 CAR PARK LAND ON THE JUNCTION OF MILNER ROAD AND MORDEN ROAD, SOUTH WIMBLEDON, SW19 3BH (REF. 15/P0377) (ABBAY WARD)

(Agenda Item 10)

1. Proposal - Erection of a mixed use block comprising retail (A1) or café/restaurant use (A3) at ground floor (170 sq.m) with 15 self-contained flats above (5 x 1 bedroom and 10 x 2 bedroom) in a six storey block with a stairwell overrun at roof level and 3 x 3 bedroom town houses arranged on 3 floors with stairwell leading onto roof level providing access onto amenity deck.

2. Floor Space and Amenity Space – Tabled Paper – Officers tabled an extra one page paper at the meeting which was a simplified version of Appendix 1 (on agenda page 218) and detailed the proposed floor space and amenity space figures for the development. (NB. The paper was subsequently put on the Merton web-site.)

3. Facing Materials – Officers advised that due to the substantial nature of the proposed development the standard condition requiring the submission of facing materials for approval had been amplified (as shown on proposed Condition (7) on page 188) so as to also require 1:50 plans of particular parts of the building such as window reveals and entrances.

4. Affordable Housing – Members expressed concern that the proposal included no affordable housing (although the Council’s policy for such a development was to seek that 40% of the new units on site should be affordable housing); and that no financial contribution towards affordable housing was proposed.

4.1 Officers drew attention to the independent assessment of the proposals which had concluded that the scheme would be unable to support an affordable housing contribution and remain viable (para. 7.60, page 183 refers). Officers indicated that therefore it would be difficult to justify refusal of the application due to the lack of affordable housing.

4.2 Officers also indicated that making an approval subject to a “clawback” provision for affordable housing, whereby the value of the development would be reassessed during or after construction, would not be appropriate.

5. Approval – The application was approved by 7 votes to 2 (Councillors David Dean and Ian Munn dissenting).

Decision: Item 11 - ref.15/P0377 (Car Park Land on the junction of Milner Road and Morden Road, South Wimbledon, SW19 3BH)

GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report and the tabled modifications sheet.

12 20 SHERIDAN ROAD, MERTON PARK, SW19 3HP (REF. 15/P1218)
(MERTON PARK WARD) (Agenda Item 11)

1. Proposal – Demolition of the existing four bedroom detached house and the erection of a replacement five bedroom house with garage and ancillary storage building.

2. Design Review Panel (DRP) – Officers advised that the revised proposals for the development had only been circulated to DRP members for comment , and not submitted to a formal DRP meeting (as detailed in para. 5.11) as the DRP met far less frequently than this Committee, and there was a need to expedite consideration of the application without waiting for the next DRP meeting and referred to the statutory periods for consideration of applications.

3. Article 4 Directions – Officers referred to concerns raised by an objector in their oral representations and by the John Innes Society that the officer report didn't refer to the two Article 4 directions that covered the Merton Park Conservation Area (as detailed in the tabled Modifications Sheet). Officers explained that the Directions referred to minor development matters, whereas the current application was completely different (being a major redevelopment proposal) and therefore this issue shouldn't delay its consideration.

4. Discussion – Members expressed a number of concerns about the proposals including the following

- (a) the proposed modern design being out of character and harmful for the Conservation Area;
- (b) the adverse effect of the design on the street scene and nearby locally listed buildings;
- (c) the existing house was one of a row of three of similar 1950's design and the proposal would be out of keeping with the other two;
- (d) the existing house was an attractive building with many years life, and its unnecessary demolition (and replacement by an entirely new building) would have a considerable carbon footprint;
- (e) it was difficult to see that the proposal had Arts & Crafts features as claimed by the applicant's representative in their oral submission; and
- (f) the proposed modern design might well be suitable for a different location, but not the application site.

5. Refusal Motion: It was moved and seconded that permission be refused as detailed below. The motion was carried unanimously. Subsequently the Committee agreed that officers be delegated authority to agree the detailed grounds of refusal and also agreed (C) below.

Decision: Item 12 - ref.15/P1218 (20 Sheridan Road, Merton Park, SW19 3HP)

(A) subject to detailed grounds of refusal being agreed in accordance with (B) below, REFUSE permission on grounds relating to the following -

- (i) The proposal development would not be appropriate for the Conservation Area, and, by reason of its inappropriate design, would be out of character and would be harmful to the Conservation Area, including nearby locally listed buildings and the street scene.

(ii) The proposals would result in the loss on an existing attractive building with many years life without there being a suitable replacement.

(iii) The proposals would be contrary to -

(a) Policy DM.02 (Design considerations in all developments) and Policy DM.04 (Managing heritage assets) of the Merton Sites and Policies Plan (July 2014);

(b) Policy CS.14 (Design) of the Merton LDF Core Planning Strategy (July 2011); and

(c) Policy 7.6 (Architecture) and Policy 7.8 (Heritage Assets) of the London Plan.

(B) Delegation: The Director of Environment & Regeneration be delegated authority to agree the detailed grounds of refusal, including any appropriate amendments, additions and/or deletions to the proposed grounds/policies.

(C) Reasons for not following Planning Officers' recommendation for permission: The Committee disagreed with the views in the officer report regarding the appropriateness of the proposed new house for the Conservation Area.

13 MEETING BREAK (Agenda Item)

After consideration of item 10, at about 10.15pm, the Committee adjourned its discussions for about 10 minutes.

14 PLANNING APPEAL DECISIONS (Agenda Item 12)

No appeal decisions had been received since the last meeting.

15 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 13)

(a) 38 Alwyne Road (formerly Worcester Hotel), Wimbledon, SW19 (para. 3.4) – Councillor Daniel Holden indicated that in line 2, his first name should be corrected to read “Daniel” not “David”.

(b) Burn Bullock PH, 315 London Road, Mitcham, CR4 (para.'s 2.07 & 2.08) -

1. Car Sales – Councillor Ian Munn advised that, contrary to the submitted report, car sales had not ceased on the site; and a notice had recently been put up asking for letters to be delivered to the rear of the building.

2. Storage of cars on site – Officers confirmed that, whilst some cars had been removed from the site, officers would continue to seek the removal of the remainder. Councillor Ian Munn expressed concern that some 30/40 cars remained on the site some months after the enforcement notice had come into effect.

3. Preservation Works - Councillor Ian Munn expressed concern about the quality of the works being undertaken to preserve this listed building; and that some windows were still open or broken. Officers advised that the case officer would be visiting the

premises and regularly monitoring the works, and was liaising with English Heritage as needed.

(c) 25 Malcolm Road, Wimbledon, SW19 (para. 2.03) – Officers advised that - (a) the front garden had been much improved and was close to complying with the Section 215 Notice; and (b) officers were still considering whether to take action regarding the rear garden.

(d) Enforcement Team – Capacity - Councillor Ian Munn indicated that the Enforcement Team had advised him that they did not have the capacity to visit two sites which he had recently reported to them. He undertook to e-mail details of the issues to the Development Control Manager.

RECEIVED

16 MODIFICATIONS SHEET (FOR VARIOUS ITEMS) (Agenda Item 14)

See above Minute on Item 4 (Town Planning Applications – Covering Report).

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Agenda Item 4

Committee: PLANNING APPLICATIONS COMMITTEE

Date: 16th July 2015
Wards: ALL

Subject: TOWN PLANNING APPLICATIONS – Covering Report

Lead officer: James McGinlay - Head of Sustainable Communities

Lead member: COUNCILLOR LINDA KIRBY, CHAIR OF PLANNING APPLICATIONS COMMITTEE

Contact officer: For each individual application, see the relevant section of the report.

Recommendations:

A. The recommendations for each individual application are detailed in the relevant section of the reports. (NB. The recommendations are also summarised on the index page at the front of this agenda).

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY.

1.1. These planning application reports detail site and surroundings, planning history, describe the planning proposal, cover relevant planning policies, outline third party representations and then assess the relevant material planning considerations.

2. DETAILS

2.1 This report considers various applications for Planning Permission and may also include applications for Conservation Area Consent, Listed Building Consent and Advertisement Consent and for miscellaneous associated matters submitted to the Council under the Town & Country Planning Acts.

2.2. Members' attention is drawn to Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

- 2.3 In Merton the Development Plan comprises: The London Plan (March 2015) the Merton LDF Core Planning Strategy (July 2011), the Merton Sites and Policies Plan (June 2014), and The South West London Waste Plan (March 2012). The National Planning Policy Framework (“NPPF”) which came into effect in March 2012 and the National Planning Policy Guidance, published in March 2014 are also of particular relevance in the determination of planning applications.
- 2.4 Members’ attention is also drawn to Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1990 Act), regarding applications for Listed Building Consent which places a statutory duty on the Council as local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.
- 2.5 With regard to Conservation Areas, Section 72(1) of the 1990 Act provides that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance” of the conservation area when determining applications in those areas.
- 2.6 Each application report details policies contained within the Development Plan. For ease of reference and to introduce some familiarity, the topics covered by the policies are outlined in brackets. In the event that an application is recommended for refusal the reasons will cover policies in the Development Plan.
- 2.7 All letters, petitions etc. making representations on the planning applications which are included in this report will be available, on request, for Members at the meeting.
- 2.8 Members will be aware that certain types of development are classed as "Permitted Development" and do not require planning permission.
- 2.9 The Council’s Scheme of Management provides for officers to determine generally routine, applications, including householder applications, applications for new housing that have not been the subject of local interest at consultation stage and with which there is an associated S106 undertaking, provided that it would not contain any heads of terms or contributions that are not a standard requirement of the Local Plan or (for proposals where a standard requirement has been subject to modification through negotiation or otherwise) depart significantly from the standard requirement of the Local Plan; and applications for advertisement consent.
- 3. SUSTAINABLE DEVELOPMENT AND ENVIRONMENTAL IMPACT ASSESSMENT**
- 3.1 There is a need to comply with Government guidance that the planning process should achieve sustainable development objectives. It is for this reason that each report contains a section on sustainability and environmental impact assessment requirements.

- 3.2 Resolution 42/187 of the United Nations General Assembly defined sustainable development as "development which meets the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF states that "the purpose of the planning system is to contribute to the achievement of sustainable development" and that "there are three dimensions to sustainable development: economic, social and environmental".
- 3.3 The NPPF states that "pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life", and that "at the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking".
- 3.4 It is also important that relevant applications comply with requirements in respect of environmental impact assessment as set out in the Town & Country Planning (Environmental Impact) Regulations 2011 (As amended). Each report contains details outlining whether or not an environmental impact assessment was required in the consideration of the application and, where relevant, whether or not a screening opinion was required in the determination of the application. Environmental impact assessments are needed in conjunction with larger applications in accordance with relevant regulations. In some cases, which rarely occur, they are compulsory and in others the Council has a discretion following the issue of a screening opinion. In practice they are not needed for the large majority of planning applications.

4 ALTERNATIVE OPTIONS

- 4.1. None for the purposes of this report, which is of a general nature outlining considerations relevant to the reports for specific land development proposals.

5. CONSULTATION UNDERTAKEN OR PROPOSED

- 5.1 Not required for the purposes of this report.

6 TIMETABLE

- 6.1. As set out in the body of the report.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. None for the purposes of this report unless indicated in the report for a particular application.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. As set out in the body of the report.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. These applications have been considered in the light of the Human Rights Act ("The Act") and in particular, the First Protocol of Article 1 (Protection of Property); Article 6 (Rights to a Fair Trial) and Article 8 (Private and Family

Life) which came into force on 2 October 2000.

- 8.2. Consideration has been given to the impact of each application on the people living and working in the vicinity of that particular application site and to the impact of the proposals on the persons who have made written representations on the planning merits of the case. A full assessment of material planning considerations has been included in each Committee report.
- 8.3. Third party representations and details of the application proposals are summarised in each Committee report. It may be that the policies and proposals contained within the Development Plan and/or other material planning considerations will outweigh the views of third parties and/or those of the applicant.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. As set out in the body of the report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. As set out in the body of the report.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- 11.1 None for the purposes of this report.

12. BACKGROUND PAPERS

- Background papers – Local Government (Access to Information) Act 1985
- Planning application files for the individual applications.
- London Plan (2015)
- Merton LDF Core Planning Strategy (2011)
- Merton Sites and Policies Plan (2014)

- Appropriate Government Circulars and Guidance Notes and in particular the NPPF and NPPG.
- Town Planning Legislation.
- The Mayor of London's Supplementary Planning Guidance.
- Merton's Supplementary Planning Guidance.
- Merton's Standard Planning Conditions and Reasons.
- Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (As amended).

PLANNING APPLICATIONS COMMITTEE
16th July 2015

Item No:

UPRN

APPLICATION NO.

DATE VALID

15/P0870

09/03/2015

Address/Site:

13 Chester Road, West Wimbledon, London, SW19 4TS

(Ward)

Village

Proposal:

Erection of part single/part two-storey side and rear extension.

Drawing Nos:

EX_01, P_01, P_02(A) & P_03(A)

Contact Officer:

David Gardener (0208 545 3115)

RECOMMENDATION

Grant Planning Permission Subject to Conditions

CHECKLIST INFORMATION

- Heads of agreement: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 2
- External consultations: No
- Number of jobs created: N/A

1. INTRODUCTION

- 1.1 This application is being brought before the Planning Applications Committee for determination due to the number of objections received.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a two-storey end of terrace property, which is located at the north end of Chester Road, West Wimbledon.

2.2 The surrounding area is residential in character. The Grade II* listed Cannizaro Park, which is also designated as Metropolitan Open Land, adjoins the rear boundary of the site. The property is also located within the Merton (Wimbledon West) conservation area.

3. CURRENT PROPOSAL

3.1 The applicant seeks planning permission to erect a part two-storey, part single storey rear extension. The extension would have a gable roof and measure 3.2m in depth at first floor level and 4.65m at ground floor level. A front porch also forms part of the application.

3.2 It should be noted that the application has been amended since it was first submitted with the front porch reduced in depth and the rear bay window removed.

4. PLANNING HISTORY

No relevant planning history.

5. POLICY CONTEXT

5.1 The relevant policies in the Adopted Sites and Policies Plan and Policies Maps (July 2014) are:

DM D2 (Design considerations in all developments)
DM D3 (Alterations and extensions to existing buildings)
DM D4 (Managing Heritage Assets)
DM O1 (Open Space)
DM O2 (Nature Conservation, Trees, hedges and landscape features)

5.2 The relevant policies in the Adopted Core Planning Strategy are:
CS.13 (Open Space, Nature Conservation, Leisure and Culture)

5.3 The following Supplementary Planning Guidance (SPG) is also relevant:
Residential Extensions, Alterations and Conversions (November 2001).

6. CONSULTATION

6.1 A conservation area site notice was displayed and a press notice was issued. A number of neighbours were also consulted via letter. Three letters of objection were received on the following grounds:

- Detrimental impact on character of conservation area;
- Harmful impact on views from Grade ii* listed Cannizaro Park;
- Loss of privacy and overlooking;
- Set a poor precedent;
- Loss of daylight/sunlight and natural light;
- Overshadowing;

- Front porch extension is too large;
- Loss of outlook;
- Loss of stability of adjoin house,
- Visually intrusive, overbearing and too dominant;
- Contribute to the terracing effect between Nos. 13 & 15;
- Overdevelopment.

7. PLANNING CONSIDERATIONS

The main issues to consider concern the impact that the proposed extension would have on visual and residential amenity.

7.1 Design and Impact on Street Scene

7.11 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings, whilst using appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting.

7.12 The proposed part two-storey part single storey extension is not considered to be excessive in terms of its size projecting only 3.2m in depth at first floor level, which is a similar depth to a number of other first floor extensions approved on Chester Road, including at numbers 22, 24 & 28. The extension would feature a gable roof and matching materials and is located at the rear of the house, which means it would not only integrate well with the existing house but also have a very limited impact on views from Chester Road, with only its flank wall visible from the street.

7.13 The front porch has been reduced in depth from the original submission from 1.8m to 1.4m. Other similarly sized front extensions already exist on the same type of properties within Chester Road. The proposed front extension has a traditional roof form and materials that match the original building. As amended, it is not considered that the size of the porch provides sufficient grounds for refusal based on impact on the street scene.

7.14 Impact on Metropolitan Open land (MOL) and Listed Park

Policy DM 01 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that development in proximity to and likely to be conspicuous from MOL or designated open space will only be acceptable if the visual amenities of the MOL or designated open space will not be harmed by reason of siting, materials or design.

7.15 Grade II* listed Cannizaro Park, which is also Metropolitan Open Land (MOL) adjoins the rear garden boundary of the application site. It is considered that the proposal complies with policy DM 01 as the extension would be viewed against the backdrop of the existing house, is only 3.2m in depth and of matching materials and is separated from the boundary with the park by the depth of its rear garden. It would not sit as close to the boundary with the park

at first floor level than other neighbouring houses at 9, 15 and 25 Chester Road. It should be noted that a row of trees, which are located immediately behind the site, will screen views of the extension when viewed from Cannizaro Park.

7.2 Residential Amenity

- 7.21 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens. Development should also protect new and existing development from visual intrusion.
- 7.22 It is considered that the proposed extension will have an acceptable impact on both adjoining properties. No.11 has a single storey rear extension of approximately 3.65m in depth. The proposed single storey element will project only 1m beyond the rear wall of this extension, which is considered acceptable. The impact of the proposed first floor extension on no. 11 is reduced by both the existing single storey rear extension at this property and the proposed 2.2m gap between the first floor extension and the side boundary. The 2.2m gap also means that there would not be an unacceptable impact on the level of outlook from first floor windows at this property.
- 7.23 With regards to No.15 it should be noted that this property is deeper at both ground and first floor levels than the proposed extension part ground/part first floor rear extension. No.15 also features a number of windows on its side elevation facing the proposed rear extension; however these are either secondary windows or windows to non habitable rooms. The proposal is not therefore considered to be unacceptable in terms of visual intrusion or outlook when viewed from No.15. Overall, it is considered that the proposal accords with policies DM D2 and DM D3 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) and is acceptable in terms of residential amenity.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

- 8.1 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of EIA submission.

9. CONCLUSION

- 9.1 It is considered that the proposal is not excessive in terms of its size and is of an acceptable design, integrating well with the existing house, and would preserve or enhance the character and appearance of the conservation area and Grade ii* listed Cannizaro Park an area of MOL. It is also considered that the extension would not have any impact on outlook, daylight/sunlight or privacy to neighbouring occupiers sufficient to warrant refusal. The proposal

therefore accords with policies DM D2, DM D3, DM D4 and DM 01 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) and is acceptable in terms of visual and residential amenity.

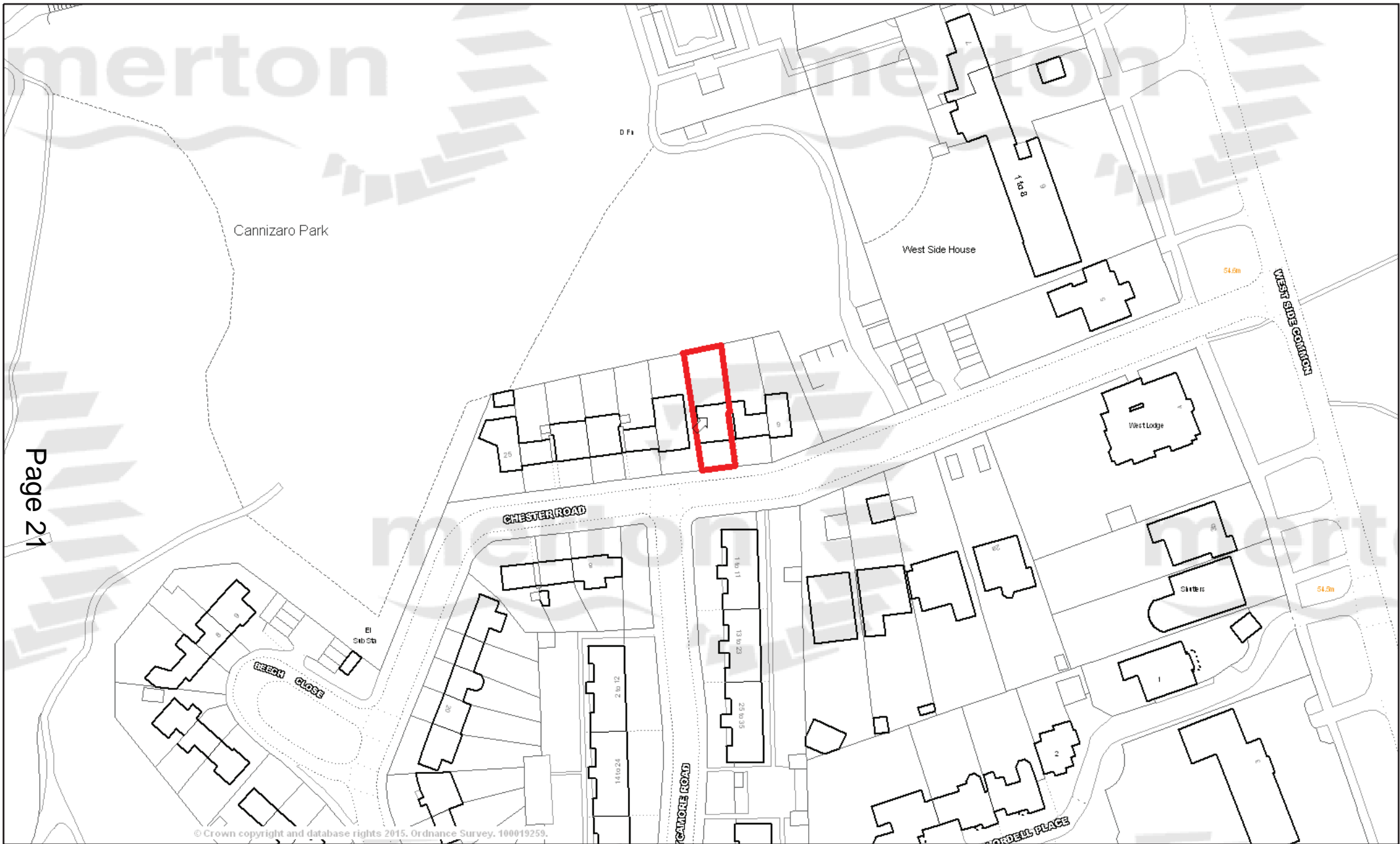
RECOMMENDATION

GRANT PLANNING PERMISSION

Subject to the following conditions:

1. A.1 (Commencement of Development for full application)
2. B.2 (Matching Materials)
3. C.2 (No Permitted Development (Windows and Doors))
4. C.8 (No use of flat roof)

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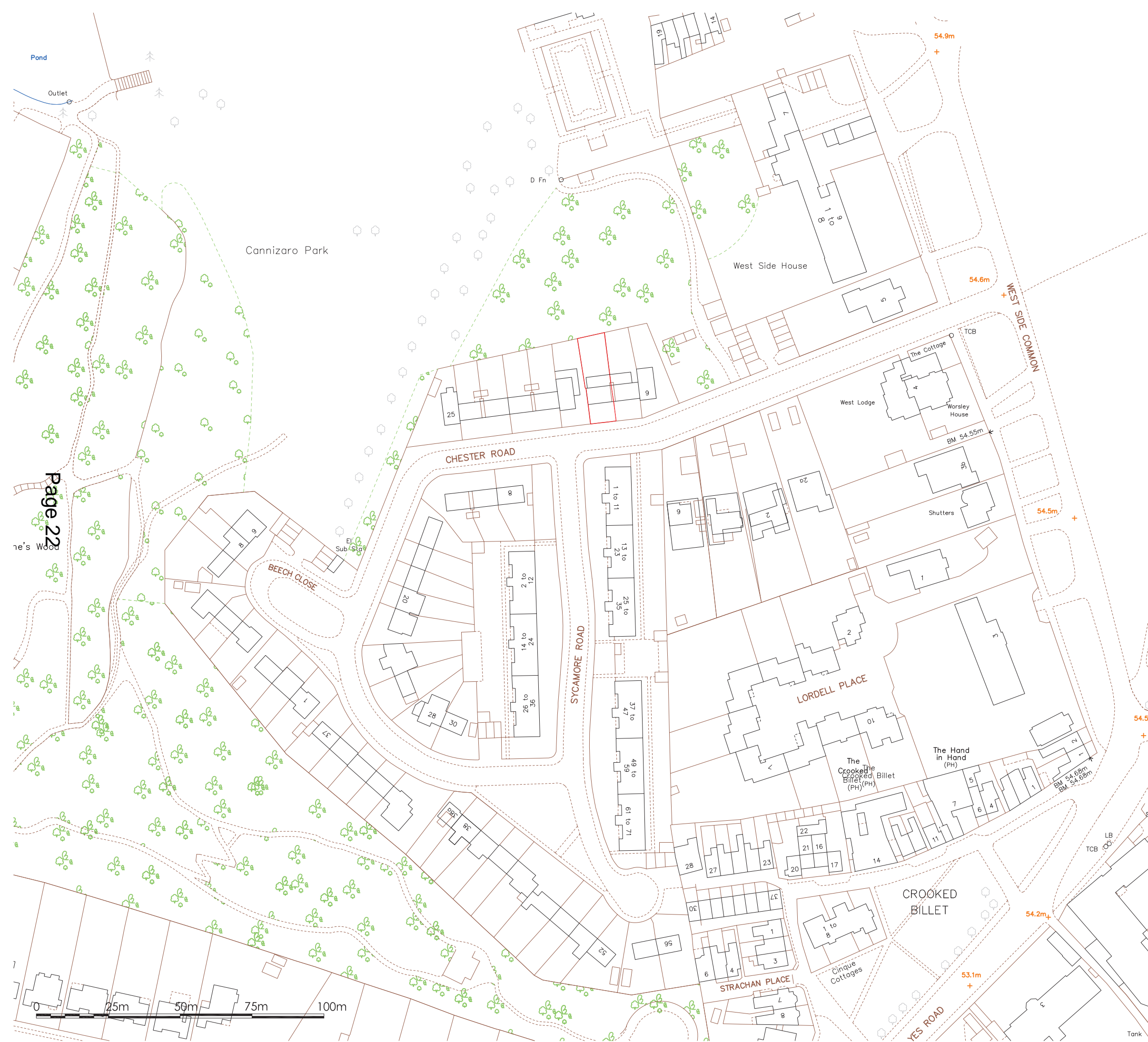
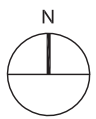
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Scale 1/1250

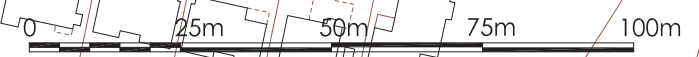
Date 30/6/2015

London Borough of Merton
 100 London Road
 Morden
 Surrey
 SM4 5DX





Page 22



Andrew Harper Architects

Address: 2nd Floor, Woodcock House, High Street
London, SW19 5BY
t: 020 7183 0590
e: office@andrewharperarchitects.co.uk
w: andrew@andrewharperarchitects.co.uk

job: 13, Chester Road, SW19	job no: 144	date: 03/02/15
drawing: Existing Location plan	scale: A3 @ 1:1250	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. EX_01	rev. -

PLANNING



West Side House

CHESTER ROAD

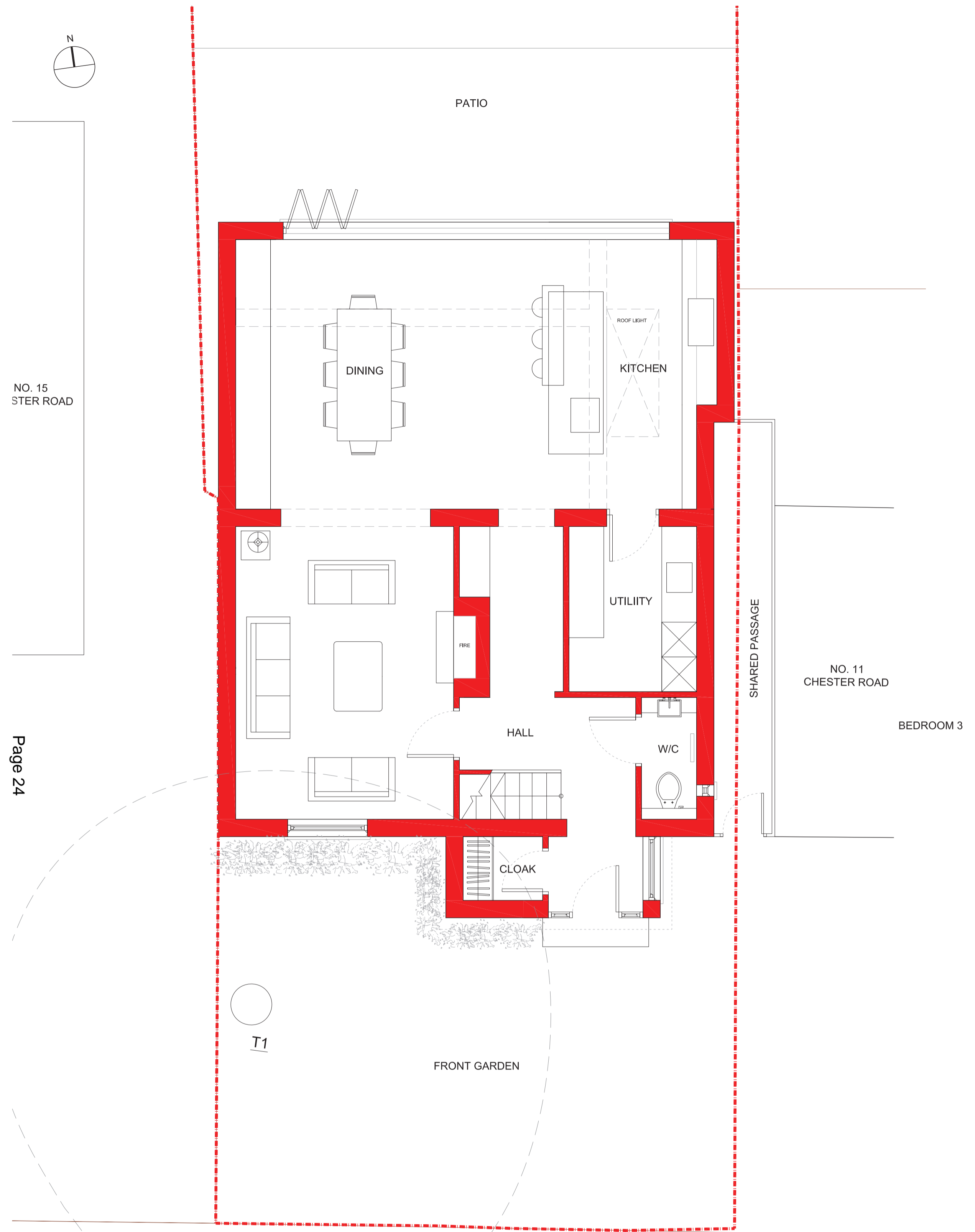


Andrew Harper Architects

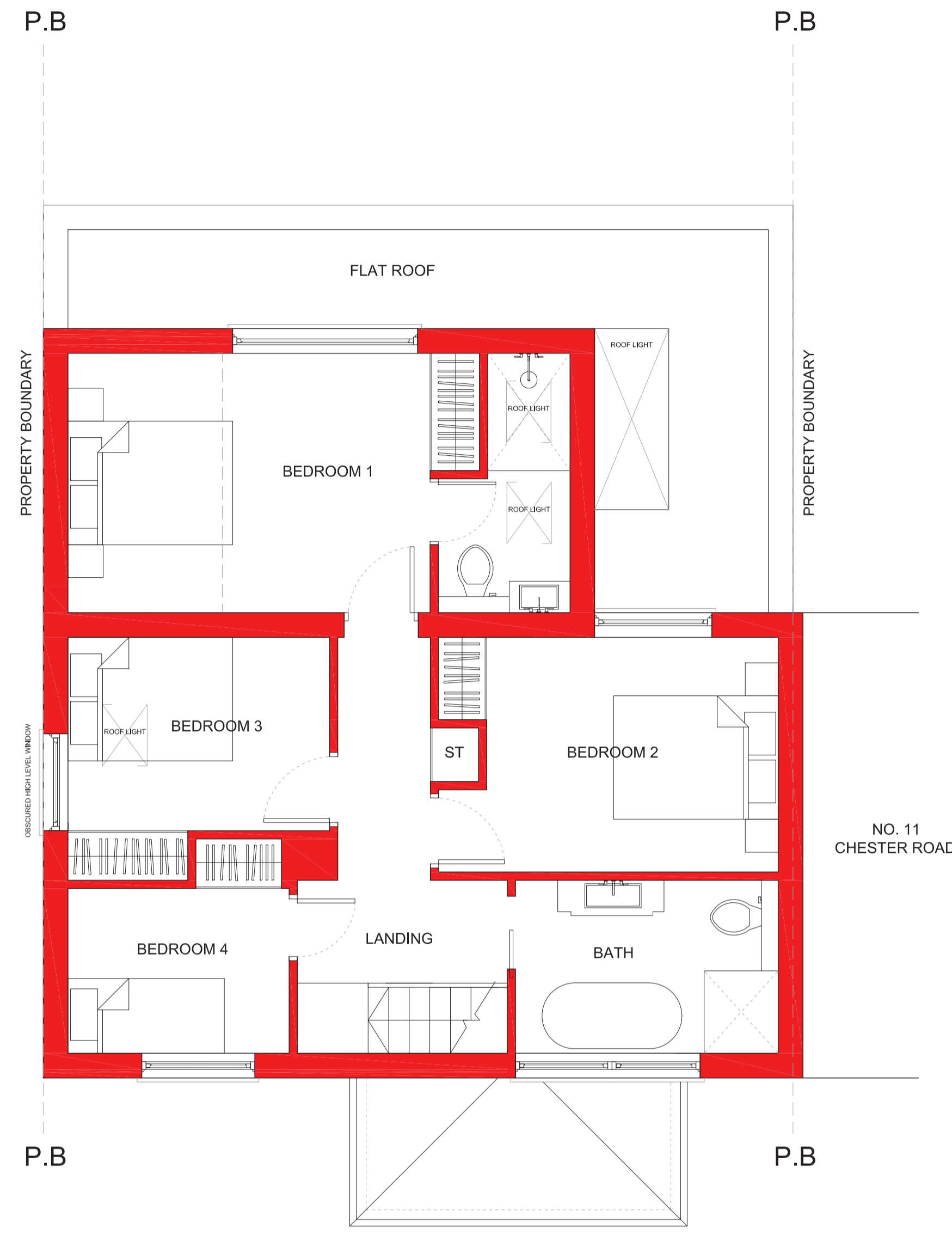
Address: 2nd Floor, Woodcock House, High Street
London, SW19 5BY
t: 020 7183 0590
e: office@andrewharperarchitects.co.uk
w: andrew@andrewharperarchitects.co.uk

job: 13, Chester Road, SW19	job no: 144	date: 03/02/15
drawing: Proposed Block Plan	scale: A3 @ 1:500	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P_01	rev. -

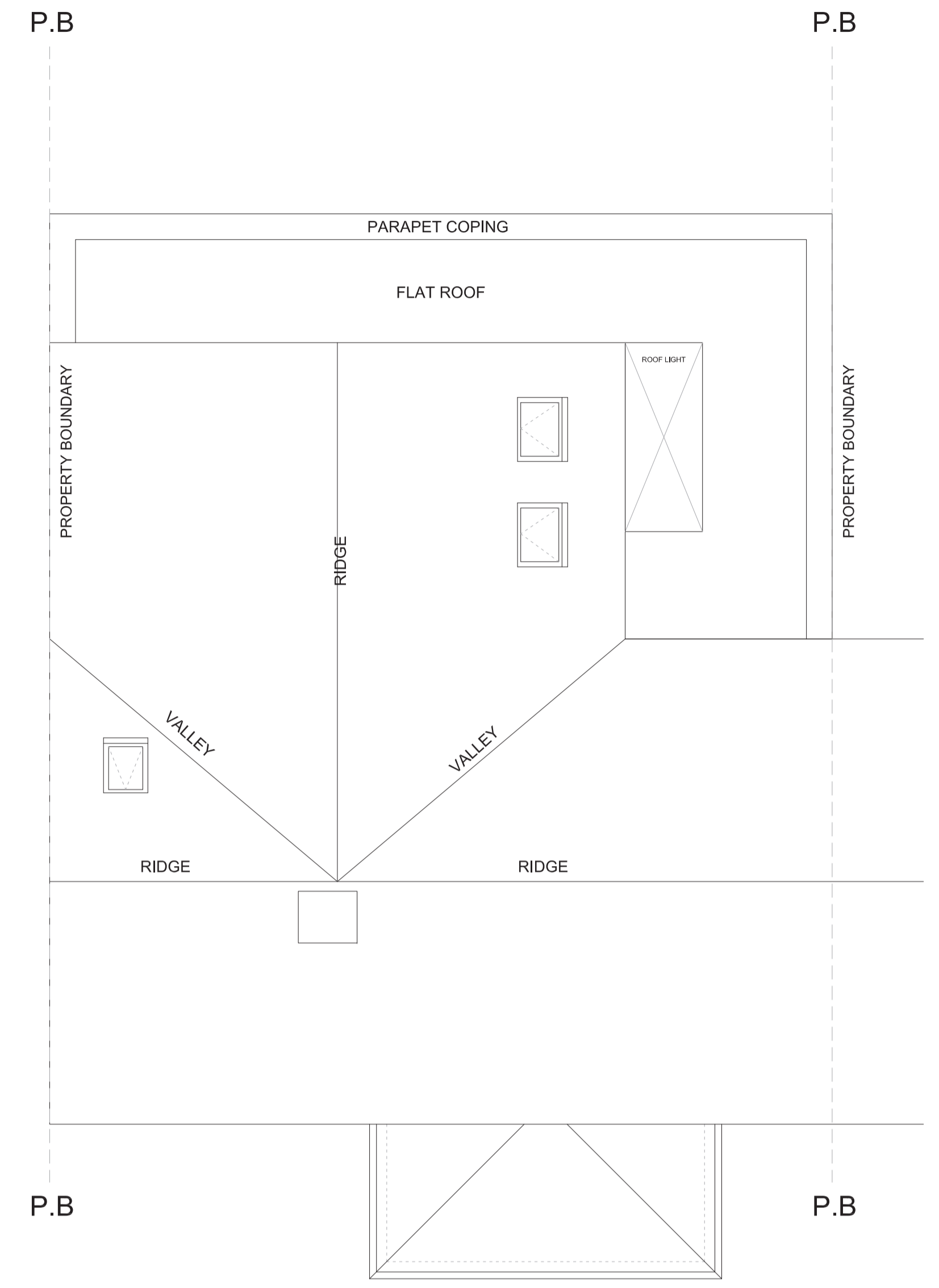
PLANNING



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



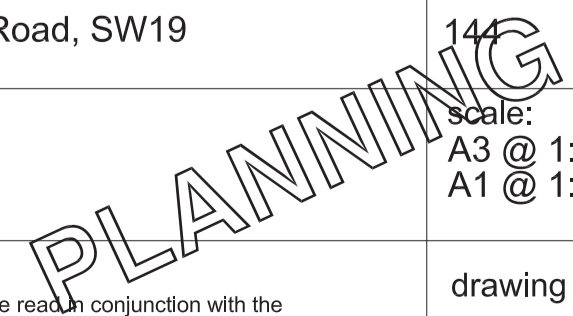
PROPOSED ROOF PLAN

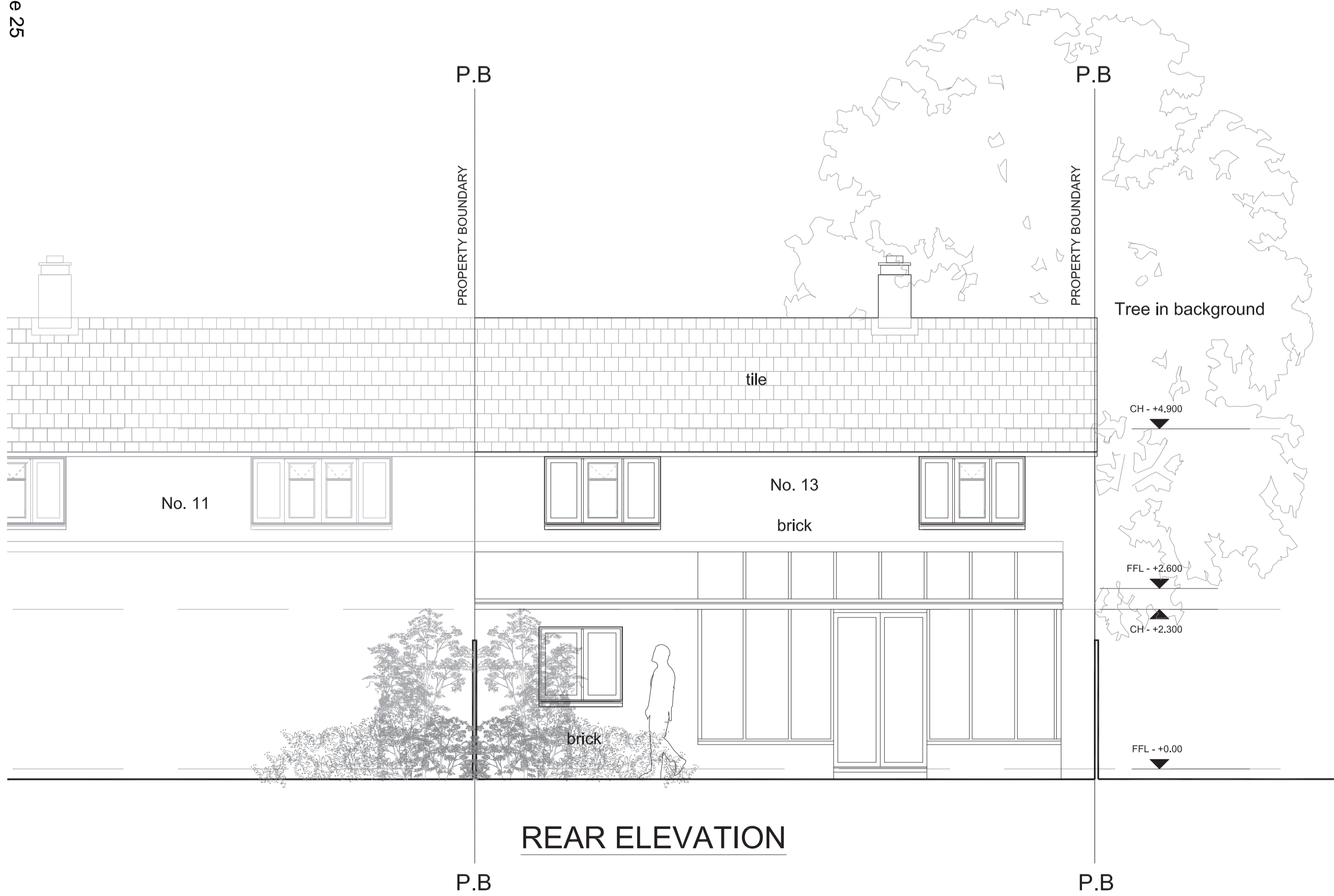
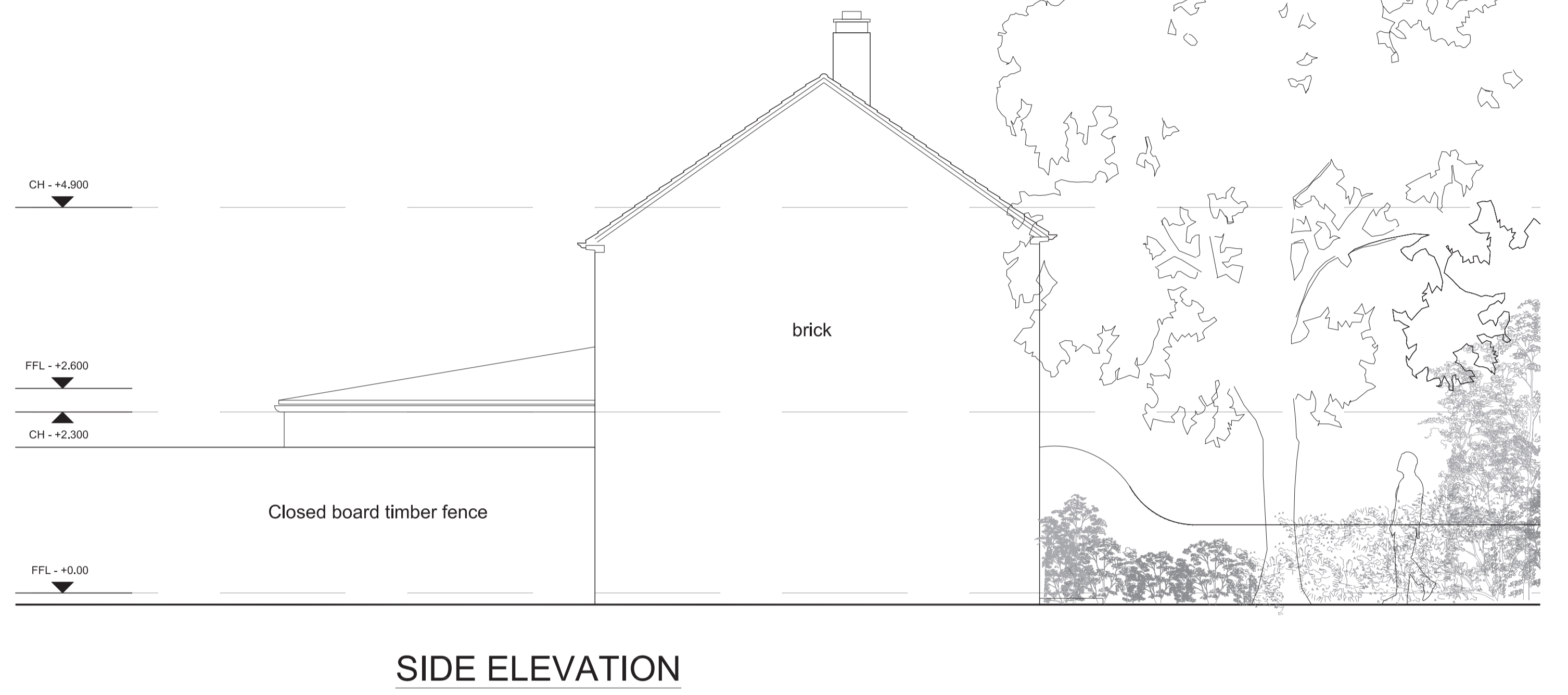
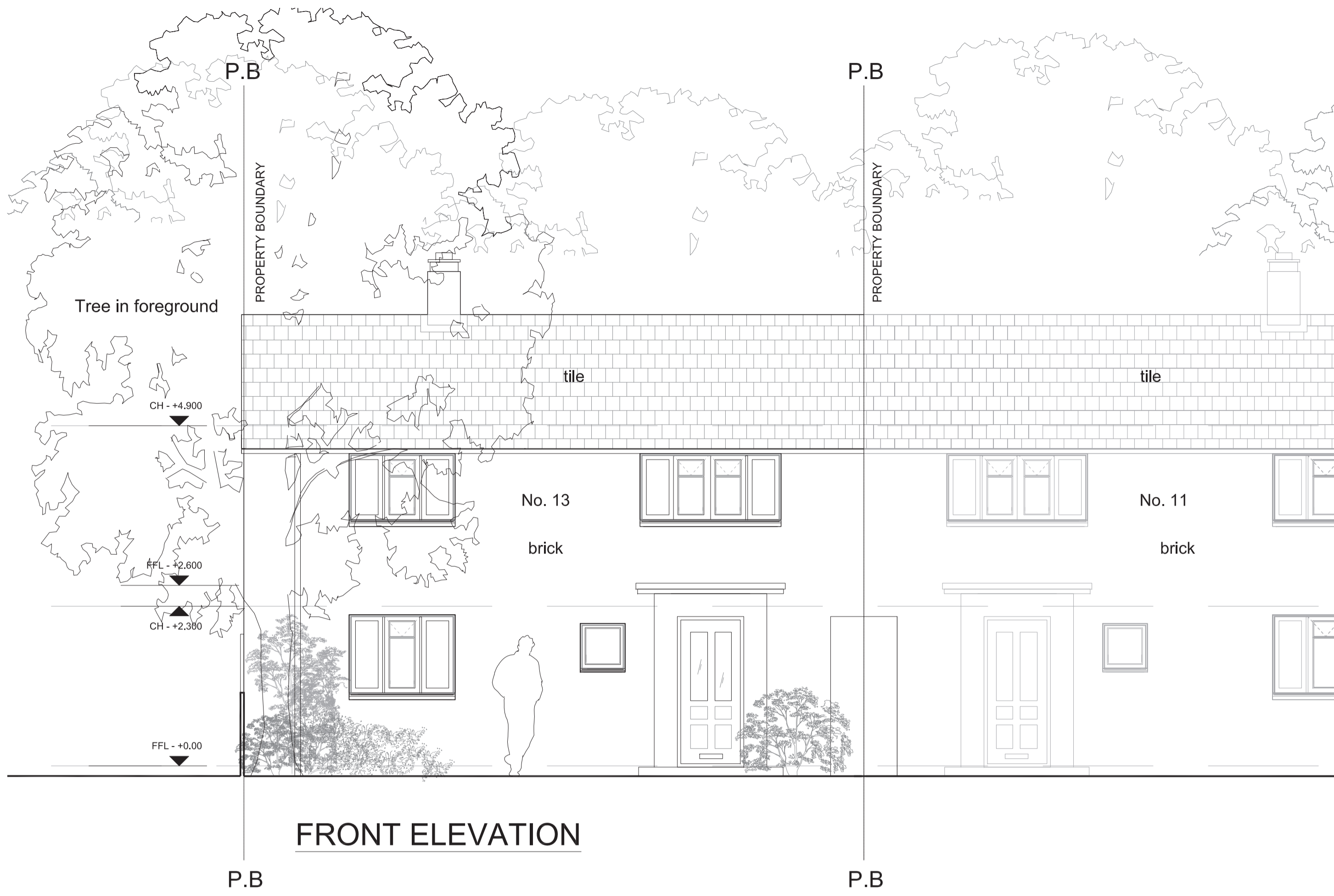


Andrew Harper Architects

Address: 2nd Floor, Woodcock House, High Street
 London, SW19 5BY
 t: 020 7183 0590
 e: office@andrewharperarchitects.co.uk
 w: www.andrewharperarchitects.co.uk

job: 13, Chester Road, SW19	job no: 144	date: 03/02/15
drawing: Proposed Plans	scale: A3 @ 1:100 A1 @ 1:50	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P_02	rev. A





Andrew Harper Architects

Address: 2nd Floor, Woodcock House, High Street
 London, SW19 5BY
 t: 020 7183 0590
 e: office@andrewharperarchitects.co.uk
 w: www.andrewharperarchitects.co.uk

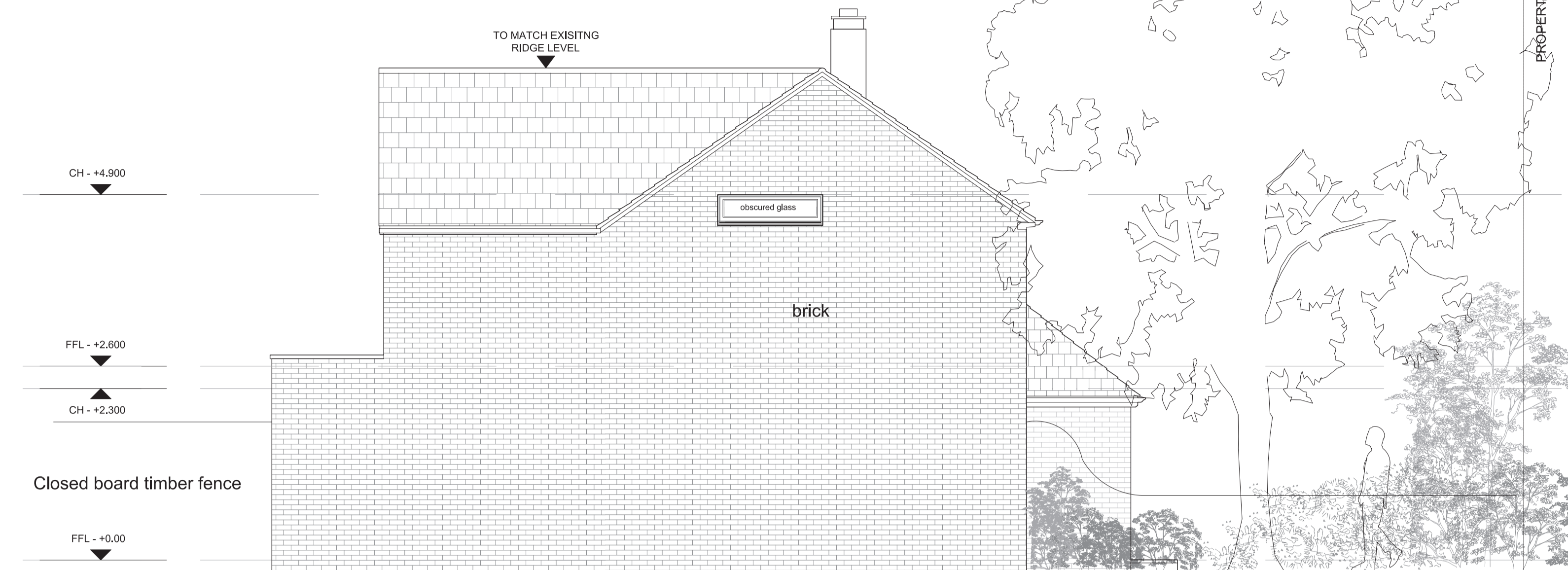
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notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. EX_03	rev. -

PLANNING

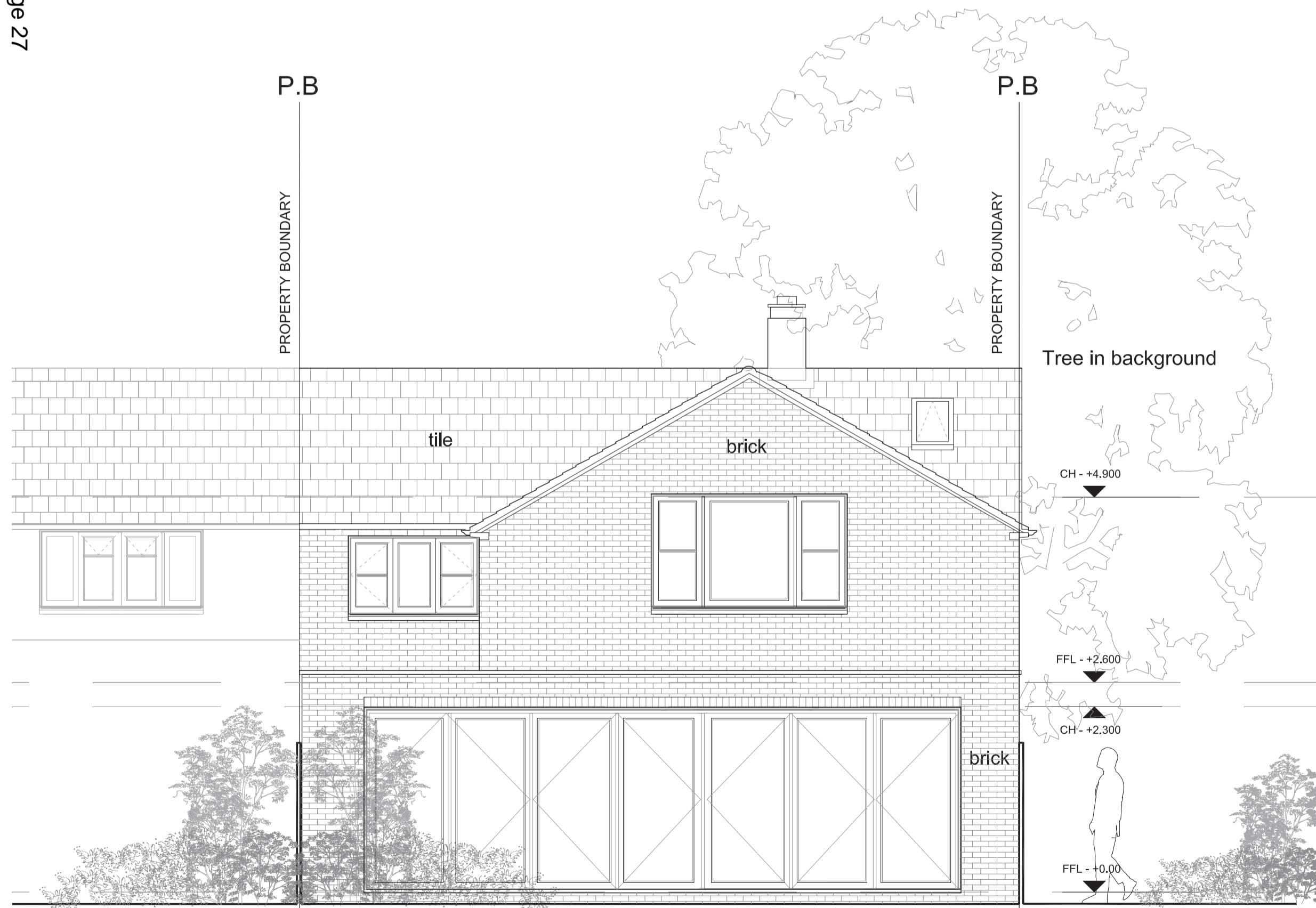
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FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



Andrew Harper Architects

Address: 2nd Floor, Woodcock House, High Street
 London, SW19 5BY
 t: 020 7183 0590
 e: office@andrewharperarchitects.co.uk
 w: www.andrewharperarchitects.co.uk

job: 13, Chester Road, SW19	job no: 144	date: 03/02/15
drawing: Proposed Elevations	scale: A3 @ 1:100 A1 @ 1:50	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P_03	rev. A

PLANNING

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Agenda Item 6

PLANNING APPLICATIONS COMMITTEE 16th July 2015

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	14/P0792	03/03/14
Address:	187 Commonsides East, Mitcham CR4	
Ward:	Pollards Hill	
Proposal:	Demolition of existing detached house and the erection of a part two part three storey block of 9 self-contained flats (5 x 2 bedroom and 4 x 1 bedroom).	
Drawing No's:	P.01C, 06D, 07C, 08C, 09D, 10D, 13A, 14A	
Contact Officer:	Jonathan Lewis (020 8545 3287)	

**RECOMMENDATION: Grant planning permission subject to:
Planning conditions.**

CHECKLIST INFORMATION.

- S106:.
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Is a Screening Opinion under the Environmental Impact Assessment Regulations required: No.
- Has a Screening Opinion been issued - No
- Press notice: No
- Site notice: Yes.
- Design Review Panel consulted: No.
- Number of neighbours consulted: 17.
- External consultations: Met Police.
- Conservation Area - No
- Public Transport Accessibility Level [PTAL]: Level 2 [On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility]
- Number of jobs created: N/A.

1. INTRODUCTION

- 1.1 This item is reported to Committee following a request from Cllr Whelton.

2. SITE AND SURROUNDINGS

- 2.1 664 sq.m site located on the east side of Cedars Avenue immediately north of the junction with Commonsides East in Mitcham. Currently

occupied by a single three bedroom detached house with car parking accessed from Cedars Avenue to the rear. To the north west, on the opposite side of Cedars Avenue, is a modern part two part three storey block of flats. To the north east and adjoining to the rear is a pair of semi-detached two storey houses. To the south west is a pair of semi-detached houses on Commonsides East while Mitcham Common (Metropolitan Open Land) lies to the south and beyond.

- 2.2 The movement of traffic at the junction of Cedars Avenue and Commonsides East is controlled by traffic lights and there are traffic light controlled pedestrian crossings at the junction.
- 2.3 There are a number of leylandii trees to the front and to the north west side of the house. There are leylandii in the back garden of 189 Commonsides East. There are no protected trees on the site. The boundary fronting Cedars Avenue is defined by a 2m high brick wall with gates providing access to the parking area. The boundary onto Commonsides East has a brick wall of around 1m with a dropped kerb providing access to a garage located on the south east side of the house
- 2.4 The application site is not within a Controlled Parking Zone and has a Public Transport Accessibility Level [PTAL]: Level 2 (TFL Information Database [On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility]. The site is not in a conservation area, area at risk from flood or an archaeological priority zone.

3. CURRENT PROPOSAL

- 3.1 The proposal is to construct a 3 storey block of flats with a flat roof (maximum height 8.2m - equivalent to the apex of the roof of the existing house and the ridge line of the pairs of semis to the south east) of a modern design building comprising 5 x 2 bedroom and 4 x 1 bedroom units. Density: 346 hrph. The building would be finished in a golden buff facing brick with soldier course and "dog tooth" brick detailing, with reconstituted stone surrounds to white framed windows with 200mm reveals. Light grey steel frames to balconies with glazed privacy screens on elevations facing towards 189 Commonsides East. Commonsides East and Cedars Avenue boundaries would be defined by 1m high brick walls reducing to 0.6m high walls either side of the crossover providing access to the parking area..

3.2 Accommodation would be provided as follows:

Flat	Type/London Plan standard.	Floorspace provided.	Amenity space/London Plan standard.	Amenity space provided.
1	1bd 2 person – 50 sq.m	51 sq.m	5 sq.m	38 sq.m
2	2bd 3 person - 61 sq.m	61 sq.m	6 sq.m	22.5 sq.m
3	1bd 2 person – 50 sq.m	51 sq.m	5 sq.m	18.5 sq.m
4	2bd 3 person - 61 sq.m	61 sq.m	6 sq.m	6.6 sq.m
5	2bd 3 person - 61 sq.m	61 sq.m	6 sq.m	11.9 sq.m
6	2bd 3 person - 61 sq.m	61 sq.m	6 sq.m	9.7 sq.m
7	1bd 2 person – 50 sq.m	51 sq.m	5 sq.m	11 sq.m
8	2bd 3 person - 61 sq.m	61 sq.m	6 sq.m	11.9 sq.m
9	1bd 2 person – 50 sq.m	51 sq.m	5 sq.m	11 sq.m

3.3 9 parking spaces would be provided with access from Cedars Avenue with the vehicle access relocated 2.4m south west. 7 cycle stores are proposed towards the south east corner on the Commonsides East frontage with further cycle parking in front of the two ground floor flats facing Commonsides East.

3.4 Refuse stores are proposed either side of the main pedestrian access to the site from Commonsides East and constructed in brick to match the walls would rise to 1.6m.

3.5 The application is accompanied by a design and access statement, an energy assessment and an affordable housing statement (the application was submitted before changes were introduced to national planning guidance taking small schemes such as the application proposals out of the scope of off-site financial contributions towards affordable housing).

3.6 The proposals have been the subject of various amendments with the consolidated changes being the subject of reconsultation. Plans had initially shown a block of flats finished in brick to ground floor and render above with the pedestrian entrance to the rear and with both this and refuse storage accessed through the proposed car park.

4. PLANNING HISTORY.

4.1 1952 - MIT/1819 – Erection of a house and a garage.

5. CONSULTATION

5.1 The planning application was publicised by means of site notices, together with individual letters to 17 nearby addresses. In response to the initial public consultation no replies were received. 17 replies have been received in relation to re-consultation making the following observations:

Traffic and parking:-

- There will be an increase in on-pavement parking which will result in a higher accident rate and increased traffic congestion in surrounding roads
- There will be increased congestion during construction plus potential damage to property

Visual amenity and privacy:-

- The development will result in a loss of privacy and outlook
- The proposed car park will increase noise and pollution and will result in a loss of security for adjacent properties

Others:-

- The high density of dwellings is overdevelopment which will increase anti-social behaviour
- There are already too many flats in Mitcham which adds to the loss of character of this area
- The design is out of character and scale with existing properties
- The design has no architectural merit and will result in an unsightly structure which is contrary to policy CS.14 of the Core Planning Strategy
- Will increase in demand for local services
- Inadequate consultation timescale.

5.2 Metropolitan Police. (Amended plans) Surveillance either natural or formal for the entrance area, car park and cycle storage should be increased. The undercroft area should be removed as this has the potential to attract non-residents to congregate especially during inclement weather. Cycle storage should be in securable containers. Design of boundary wall should not offer a seating area. Blank gable wall to flat 2 may attract graffiti. Should be redesigned or provide a buffer zone.

5.3 Environment Agency. Low environmental risk. Request being informed if contamination is identified that poses a significant risk to controlled waters and for the applicant to deal with the management of land contamination in this event so as to follow BS 10175 practice note. No further comments.

- 5.4 Future Merton (Transport)
Meets criteria for vehicle access and it already has a vehicle access. May not be feasible to consider a keep clear box given proximity to traffic lights as the space between the cyclists protection zone and the keep clear box would not support a standing vehicle. No objection to parking provision.
- 5.5 Future Merton (Climate Change) No objection subject to meeting Code for Sustainable Homes level 4 (pre-dates recent changes to national planning guidance).

6. **POLICY CONTEXT**

National Planning Policy Framework [March 2012]

- 6.1 The National Planning Policy Framework was published on the 27 March 2012 and replaces previous guidance contained in Planning Policy Guidance Notes and Planning Policy Statements. This document is put forward as a key part of central government reforms ‘...to make the planning system less complex and more accessible, and to promote sustainable growth’.
- 6.2 The document reiterates the plan led system stating that development that accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework also states that the primary objective of development management should be to foster the delivery of sustainable development, not to hinder or prevent development.
- 6.3 To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, the framework advises that local planning authorities need to approach development management decisions positively – looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. The framework attaches significant weight to the benefits of economic and housing growth, the need to influence development proposals to achieve quality outcomes; and enable the delivery of sustainable development proposals.
- 6.4 Paragraph 17 of the NPPF sets out a number of ‘Core Planning Principles’. These include:
- Not being simply about scrutiny, but be a creative exercise in finding ways to enhance and improve the place in which people live their lives;
 - To proactively drive and support sustainable economic development to deliver homes and businesses;
 - Always seek to secure high quality design;
 - Encourage effective use of land by reusing land that has been previously development (brownfield land) where it is not of high environmental value;
 - Promote mixed use developments, and encourage multiple benefits from the use of land in urban areas; and

6.5 The National Planning Policy Framework [NPPF] urges local authorities to significantly boost the supply of housing. Local authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed need for market and affordable housing in the housing market area, as far as is consistent with other policies set out in the NPPF. This process should include identifying key sites that are critical to the delivery of the housing strategy over the plan period.

6.6 The National Planning Policy Framework states that local authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.

London Plan (2015)

6.7 The relevant policies in the London Plan (2015) are: Policy 3.1 (Ensuring equal life chances for all), Policy 3.3 (Increasing housing supply), Policy 3.4 (Optimising housing potential) Policy 3.5 (Quality and design of housing developments), Policy 3.8 (Housing choice), Policies 3.10 and 3.11 (Affordable housing and affordable housing targets), Policy 3.12 (Negotiating affordable housing), Policy 3.13 (Affordable housing thresholds), Policy 5.2 [Minimising carbon dioxide emissions]; 5.3 [Sustainable design and construction]; 5.7 [Renewable energy]; 5.11 [Urban greening]; 5.12 [Flood risk management]; 5.13 [Sustainable drainage]; 6.3 [Assessing effects of development on transport capacity]; 6.9 [Cycling]; 6.10 [Walking]; 6.11 [Smoothing traffic flow and tackling congestion]; 6.12 [Road network capacity]; 6.13 [Parking]; 7.2 [An inclusive environment]; 7.3 [Designing out crime]; 7.4 [Local character]; 7.5 [Public realm]; 7.6 [Architecture]; 7.14 [Improving air quality]; 7.15 [Reducing noise and enhancing soundscapes] and 8.2 [Planning obligations].

6.8 Mayor of London Supplementary Planning Guidance.

The following supplementary planning guidance is considered relevant to the proposals: Supplementary Planning Guidance on Housing (2012).

Merton LDF Core Planning Strategy [2011]

6.9 The relevant policies within the Council's Adopted Core Strategy [July 2011] are, CS.8 (Housing), CS.12 [Economic development]; CS.14 [Design]; CS.15 [Climate change]; CS.18 [Active transport]; CS.19 [Public transport]; and CS.20 [Parking; servicing and delivery].

Merton Sites and Policies Plan (2014).

6.10 The relevant policies are follows: DM H2 – Housing mix; DM H3 – Support for affordable housing; DM D1 – Design and public realm; DM D2 –Design considerations; DM EP2 – Noise; DM F1 – Flooding; DM F2 – Drainage; DM T1 – Sustainable transport; and DM T3 – Car parking and servicing.

- 6.11 Merton Supplementary Planning Guidance.
The key supplementary planning guidance relevant to the proposals includes: New Residential Development [1999]; Design [2004]

7. PLANNING CONSIDERATIONS

- 7.1 The main planning considerations include assessing the following:
- Principle of mixed use development including housing and delivery of affordable housing;
 - Design and appearance;
 - Standard of accommodation;
 - Residential amenity;
 - Transport, car parking, servicing, access, walking and cycling;
 - Sustainable design and construction; and

Redevelopment for more intensive use for housing.

- 7.2 The National Planning Policy Framework [March 2012] requires the Council to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition.
- 7.3 Policy 3.3 of the London Plan sets new minimum targets for housing delivery which in the case of Merton rises from 320 additional homes annually to 411 for the period 2015 to 2025, between 2011 and 2026. The adopted Core Strategy states that the Council will encourage residential accommodation in 'sustainable brownfield locations'.
- 7.4 The proposals would not displace the long standing residential use of the site and would make a meaningful contribution towards meeting the Mayor's new increased housing targets for the Borough.

Density.

- 7.5 While density on its own is not an entirely reliable guide to determining whether a development is appropriate for a particular site the London Plan's Sustainable residential quality density matrix sets out indicative density ranges for the effective development of sites dependent upon setting (suburban, urban and central) and public transport accessibility. For the type of accommodation proposed and the PTAL score the indicative density range for more urban settings is 200-450 hrph. (terraced houses, blocks of flats - typically buildings of 2-4 storeys and within 800m of a district centre – the site is within 800m of Mitcham). For the type of accommodation proposed the resulting density (346 hrph) would therefore be consistent with the recommended range for this location.

Design, including scale and massing and impact on locality

- 7.6 London Plan policy 7.4 requires, amongst other matters, that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. Policy 7.6 sets out a number of key objectives for the design of new buildings including the following: that buildings should be of the highest architectural quality,

be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm.

- 7.7 Policy CS14 of the adopted Core Strategy states that all development needs to be designed to respect, reinforce and enhance local character and contribute to Merton's sense of place and identity. This will be achieved in various ways including promoting high quality design and providing functional spaces and buildings.
- 7.8 The NPPF, London Plan and LDF policies focus on delivering high quality design while a higher test of exceptional design is set for higher density development.
- 7.9 The proposals would deliver a three storey building complementing the modern block of flats on the opposite corner of Cedars Avenue and compatible with its surrounding in terms of its scale when viewed from both Cedars Avenue and Commonside East. The height of the building would be comparable with that of the semi-detached houses to the south east and while the building would be a full three storey, the massing, setting the top floor back from the first floor would have the effect of reducing its impact on the Commonside East streetscene.
- 7.10 The massing of the building would result in the top floor being set about 1m rearward of the building line of 189-191 Commonside East while the first and ground floors would project 1.5m forward of the forward most parts of the front elevations. While the pattern of development south eastwards fronting Commonside East has a similar character with houses set behind front gardens the length of which is sufficient to park a vehicle the properties do not follow a regimented building line such that a departure from this would appear incongruous or harm visual amenity. The massing of the proposed block of flats in terms of its relationship with the street would blend in with Commonside East and is considered acceptable.
- 7.11 A similar and generally regular but not entirely uniform pattern of development characterises the east side of the nearest part of cedars Avenue to the application site. The current arrangement, whereby the flank of 187 broadly aligns with the frontages of 6 to 8 Cedars Avenue results in an open garden and car parking area occupying half the site. The proposals would, at their maximum project 6m forward of the fronts of neighbouring properties in Commonside East. However, the rear wall of the flats would be 12m from the flank of 6 Cedars Avenue and in the context of the Cedars Avenue streetscene the visual gaps is considered sufficient such as to create a break between building lines so that the massing of the block would not appear as a discordant feature towards the southern end of the Cedars Avenue streetscene.
- 7.12 While the frontage to flats opposite aligns more closely with the frontages of dwellings to the north the approach to massing in that case would not be appropriate to the application site. This approach had been mooted at the time of pre-application discussions and rejected by

officers. Were this approach to be replicated it would place a block close to and along the boundary of the garden to 189 to the detriment of the outlook of occupiers.

- 7.13 One of the key principles of urban design is to promote the continuity of street frontages and the enclosure of space by development which clearly defines private and public areas. The proposals achieve connectivity with the street in a manner that promotes sound urban design principles and overcome earlier design shortcomings.
- 7.14 It is considered that at a detailed level, the use of buff colour facing bricks, coupled with subtle brick detailing, modern glazing, and the animation of elevations with generous areas of glazing to the key public elevations would deliver a simple well-proportioned and not unattractive new building on this prominent corner site.

Design - safety and security.

- 7.15 London Plan policy 7.3 aims to ensure that measures to design out crime are integral to development proposals and are considered early in the design process, taking into account the principles contained in Government guidance on 'Safer Places' and other guidance such as Secured by Design' published by the Police. Development should reduce the opportunities for criminal and anti-social behaviour and contribute to a sense of security without being overbearing or intimidating. Places and buildings should incorporate well-designed security features as appropriate to their location.
- 7.16 The design of the scheme provides for passive surveillance of the car park to the rear and the surrounding streets. The development would be enclosed with boundary walls, while patio gardens would be effectively enclosed to the benefit of the security of occupiers while retaining circulation space around the building.
- 7.17 Secure cycle storage would be provided and while a small undercroft area is proposed to the flats on the south elevation this space would be partly enclosed by 0.6m high planters and secure storage and adds interest to the design

Neighbour amenity – loss of privacy and overlooking.

- 7.18 Policy DM.D2 states that proposals for development will be expected to ensure appropriate levels of sunlight and daylight, quality of living conditions, and privacy to adjoining gardens.
- 7.19 Where windows face towards those in Heathlands Court on the opposite side of Cedars Avenue a separation distance of not less than 18m would be achieved. The Council's standards require back to back separation of 20m with no front to front standard being set. It is considered that it would be reasonable to allow lesser separation to occur across streets given that overlooking already arises from proximity to the pavement and that separation distances are routinely below 20m across the borough's streets including in Pollards Hill.

Partial obscured glazing to side facing windows could lessen any impact but is not considered essential.

- 7.20 Facing rearwards the flats would be at least 12m from the side boundary to the garden of 6 Cedars Avenue (the existing house is 15m distant) and would not overlook habitable rooms.
- 7.21 Facing eastwards towards 189 Commonsides East an absence of windows at first and second floor levels in the flank wall and screens to the balconies would mitigate against the potential for overlooking.

Neighbour amenity – loss daylight sunlight and visual intrusion.

- 7.22 The orientation of the block (to the north and west of 189 Commonsides East) and the separation distances to its neighbours in Commonsides East (4m between flank walls) and Cedars Avenue (15m between the rear wall of the flats and flank wall of 6 Cedars Avenue) are such that the proposals would not give rise to a loss of daylight or sunlight.
- 7.23 The nearest part of the flats to 189 Commonsides East is 4m while the stepped footprint gradually increases the separation to 3.5 then 7m at the most rearward part of the block. The spacing combined with the stepped footprint is considered sufficient so as not to give rise to visual intrusion.

Standard of accommodation.

- 7.24 Policy DM.D2 of the Merton Sites and Policies Plan (2014) states that proposals for development will be expected to ensure appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy to adjoining gardens. Policies CS 8, CS9 and CS14 within the Council's Adopted Core Strategy [2011] states that the Council will require proposals for new homes to be well designed.
- 7.25 Policy 3.5 of the London Plan (2015) states that housing developments should be of the highest quality internally and externally. The London Plan states that boroughs should ensure that new development reflects the minimum internal space standards as set out in table 3.3 of the London Plan. The standards are expressed in terms of gross internal area.

Standard of accommodation – internal space.

- 7.26 The table at of the report demonstrates that the proposed accommodation provides internal residential floorspace in accordance with or exceeding London Plan standards.
- 7.27 The proposal provides all dual aspect units thereby increasing opportunity for daylight and sunlight penetration and is welcomed.
- 7.28 The proposals would be required to provide 10% wheelchair accessible or easily adaptable housing for residents who are wheelchair users and this may reasonably be addressed by way of condition.

Standard of residential accommodation - external amenity space.

- 7.29 Sites and Policies Plan policy DM D2 states that developments will be expected to ensure appropriate provision of outdoor amenity space which accords with appropriate minimum standards and is compatible with the character of the surrounding area. For all new houses, the council will seek a minimum garden area of 50 sqm as a single usable regular shaped amenity space. For flatted dwellings, a minimum of 5sqm of private outdoor space should be provided for 1-2 person flatted dwellings (as specified in the Mayor's Housing Supplementary Planning Guidance 2012) and an extra 1sq.m should be provided for each additional occupant.
- 7.30 The proposed development provides private amenity space for the flats that is in accordance with or that exceeds adopted standards. The flats all have with private external space to meet the Housing SPG requirements.
- 7.31 Officers note that the site is in close proximity to Mitcham Common and that occupiers would benefit from this as supplementing amenity space on site.

Standard of accommodation – noise and vibration.

- 7.32 London Plan policy 7.15 seeks to ensure that development proposals manage noise by avoiding significant adverse noise impacts on health and quality of life and mitigate and minimise the existing and potential adverse impacts of noise on, from, within , as a result of or in the vicinity of new development without placing undue restrictions on developments or adding unduly to costs; and where separation from noise sources is not possible then any potential adverse effects should be mitigated through the application of good design principles.
- 7.33 Environmental Health officers have not recommended that the flats be subject to specific soundproofing or vibration mitigation measures.

Standard of accommodation - site contamination

- 7.34 Sites and Policies Plan policy DM EP4 states that developments should seek to minimize pollutants and to reduce concentrations to levels that have minimal adverse effects on human or environment health.
- 7.35 The Environment Agency have recommended safeguards in the event of contamination being found that may affect and this may be addressed in the decision in the event of permission being granted.

Standard of accommodation - Air quality.

- 7.36 The NPFF recognises reducing pollution as being one of its core planning principles. It further indicates that LPA's should focus on whether the development is an acceptable use of land, and the impact of the use.

7.37 London Plan Policy 7.14 provides strategic guidance specific to air quality. It seeks to minimise exposure to existing poor air quality and make provision to address local problems. This is reflected by local policy, whereby the Core Strategy identifies the strategy to reduce air pollution through Policies CS18-20.

7.38 While the entire borough has been declared as an Air Quality Management Area, Environmental health officers have not required specific mitigation measures to safeguard occupier amenity.

Housing mix and affordable housing.

7.39 Policy CS. 8 within the Council's Adopted Core Strategy [July 2011] states that the Council will seek the provision of a mix of housing types sizes and tenures at a local level to meet the needs of all sectors of the community. This includes the provision of family sized and smaller housing units.

7.40 The mix of units would be 55% two bedroom units and 44% one bedroom units. Notwithstanding the Council's wider objectives of providing a more balanced mix of family and non-family sized units (para 2.34 of the Sites and Policies Plan - 33% one bedroom, 32% two bedroom, 35% three or more bedrooms) the proposed accommodation will increase the variety of residential accommodation available locally. It is considered that the current proposal will contribute towards the creation of a socially mixed and sustainable neighbourhood in accordance with Core Strategy policy CS8.

7.41 London Plan policy 3.12 requires that in making planning decisions a maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed-use schemes. Since November 2014 National Planning guidance has precluded seeking off site affordable housing contributions on schemes of 10 or less dwellings. Notwithstanding the applicant's initial assessment that suggested an off-site contributions may be feasible it would be both unreasonable and inappropriate for the Council to seek this following changes to National Planning guidance.

Transport, car parking, servicing, access cycling and walking.

7.42 The application site has a Public Transport Accessibility Level of 2 which indicates that it has relatively poor access to public transport services. The site is not within a Controlled Car Parking Zone.

Car parking.

7.43 Policy CS20 of the Core Strategy [July 2011] states car parking should be provided in accordance with current parking standards, whilst assessing the impact of any additional on street parking on vehicle movements and road safety.

- 7.44 Policy 6.13 of the London Plan states that the Mayor wishes to see an appropriate balance between promoting new development and preventing excessive car parking that can undermine cycling, walking and public transport use. The current maximum car parking standards are set out within the London Plan at table 6.2. The Plan indicates that developments in areas with a PTAL score of 2-4 and where primarily smaller (2-3 habitable rooms per unit) dwellings are proposed such as the application proposal a maximum of 1 space per residential unit is recommended.
- 7.45 The proposals would provide parking, towards the maximum recommended by the London Plan and it would be unreasonable to withhold permission on the basis of insufficient on-site parking.
- 7.46 The London Plan requires adequate parking spaces for disabled people preferably on-site and requires 20 per cent of all spaces for electric vehicles with an additional 20 per cent passive provision for electric vehicles in the future. With adjustment to the layout both disabled parking and electric charging points may be provided without unduly compromising overall provision.
- Impact on traffic, servicing and access.
- 7.47 Policy CS20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring developers to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway. The policy also requires developers to incorporate safe access to and from the public highway.
- 7.48 Refuse arrangements shown on the applicant's plans show bin stores within 10m of the carriageway edge meeting the Manual for Streets (2007) standards.
- 7.49 The Council's Transport Planners have not raised concerns regarding servicing or access and adjustments to existing crossovers and achieving sightlines can be addressed by way of conditions.
- Cycling and walking.
- 7.50 Policy CS 18 of the adopted Core Strategy [July 2011] states that the Council will promote active transport by prioritising the safety of pedestrian, cycle and other active transport modes; by supporting schemes and encouraging design that provides, attractive, safe, covered cycle storage.
- 7.51 London Plan standards for cycle parking are one per 1-2 bedroom dwelling and 2 per three bedroom dwelling. The level of provision and location are considered broadly satisfactory, although spaces in front of the two flats would benefit from being in secure stores. A planning condition is recommended to ensure that secure storage is provided before first occupation of the building.

8. ENVIRONMENTAL IMPACT ASSESSMENT AND SUSTAINABILITY

Environmental Impact Assessment

- 8.1 The application site is less than 1.0 hectare in area and therefore falls outside the scope of Schedule 2 development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In this context there is no requirement for an Environmental Impact Assessment as part of this planning application.

Sustainable design and construction.

- 8.2 On 25th March the Government issued a statement setting out steps it is taking to streamline the planning system. Relevant to the proposals, the subject of this application, are changes in respect of sustainable design and construction, energy efficiency and forthcoming changes to the Building Regulations. The Deregulation Act was given Royal Assent on 26th March. Amongst its provisions is the withdrawal of the Code for Sustainable Homes.
- 8.3 Until amendments to the Building Regulations come into effect the Government expects local planning authorities not to set conditions with requirements above a Code level 4 equivalent. Where there is an existing plan policy which references the Code for Sustainable Homes, the Government has also stated that authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard.
- 8.4 While the applicant has indicated a commitment to achieving CfSh level 4, in light of the government's statement and changes to the national planning framework it is recommended that conditions are attached so as to ensure the dwellings are designed and constructed to achieve CO2 reduction standards and water consumptions standards equivalent to Code for Sustainable Homes level 4.

9. LOCAL FINANCIAL CONSIDERATIONS

Mayor of London Community Infrastructure Levy

- 9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy [CIL], the funds for which will be used by the Mayor of London towards the 'CrossRail' project.
- 9.2 The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL. It is likely that the development will be liable for the Mayoral Community Infrastructure Levy that is calculated on the basis of £35 per square metre of new floor space.

London Borough of Merton Community Infrastructure Levy

- 9.3 After approval by the Council and independent examination by a Secretary of State appointed planning inspector, in addition to the Mayor of London Levy the Council's Community Infrastructure Levy commenced on the 1 April 2014. The liability for this levy arises upon grant of planning permission with the charge becoming payable when construction work commences.

- 9.4 The Merton Community Infrastructure Levy will allow the Council to raise, and pool, contributions from developers to help fund local infrastructure that is necessary to support new development including transport, decentralised energy, healthcare, schools, and leisure and public open spaces. The provision of financial contributions towards affordable housing and site specific obligations will continue to be sought through planning obligations a separate S106 legal agreement.
- 9.5 The London Borough of Merton Community Infrastructure Levy applies to the housing elements. This levy is calculated on the basis of £115 per square metre of new floor space for residential floorspace. In the absence of affordable housing the proposals would not qualify for social housing relief available under Part 6 of the Regulations.

Planning Obligations

- 9.6 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development;
 - fairly and reasonably related in scale and kind to the development.
- 9.7 In this instance there are no grounds to require a S106 agreement.

10. CONCLUSION

- 10.1 It is considered that the proposals would meet the core planning principles as set out in the NPPF, that would deliver new homes, and reuses land more intensively.
- 10.2 The design bulk and massing of the block of flats would be compatible with its context and would not give rise to harmful impacts on neighbouring occupiers in terms of loss of light, outlook, or privacy development would provide a satisfactory environment for future occupiers. The development would achieve a suitable level of sustainable design and construction meeting London Plan objectives.

RECOMMENDATION: Grant planning permission subject to conditions.

1. The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission. Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: [See Schedule above] Reason: For the avoidance of doubt and in the interests of proper planning.
3. Site levels. No development, other than demolition of existing buildings, shall take place until details of the proposed finished floor levels of the development, together with proposed site levels, have been submitted

to and approved in writing by the Local Planning Authority, and no development shall be carried out except in strict accordance with the approved levels and details. Reason: To safeguard the visual amenities of the area, and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policies CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and DM.D3 of Merton's Sites and Policies Plan 2014.

4. Prior to the commencement of development [including demolition] a working method statement shall be submitted to and approved in writing by the Local Planning Authority that shall include measures to accommodate: the parking of vehicles of site workers and visitors; loading and unloading of plant and materials; storage of construction plant and materials; wheel cleaning facilities; control of smell and other effluvia; control of surface water run-off. No development shall be take place that is not in full accordance with the approved method statement. Reason for condition: In the interests of vehicle and pedestrian safety and the amenities of neighbouring occupiers and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011.
5. Demolition dust and noise] Prior to the commencement of development [including demolition] measures shall be in place to prevent nuisance from dust and noise to surrounding occupiers with these measures in accordance with a method statement that has previously been submitted to and approved in writing to the Local Planning Authority with the approved measures retained until the completion of all site operations. Reason for condition: To protect the amenities of occupiers of neighbouring properties and to accord with Sites and Policies policy DM D2.
6. No development, other than demolition and site preparation, shall take place until details of the surfacing of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas, and footpaths, have been submitted in writing for approval by the Local Planning Authority. No works that are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details. Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.
7. No development, other than demolition and site preparation, shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted,

including window frames and doors (notwithstanding any generic materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

8. Screening to terraces and balconies in accordance with the approved plans, shall be installed before the flats are occupied and thereafter retained. Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
9. No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority demonstrating that the development has achieved not less than the CO2 reductions (ENE1) (a 25% reduction compared to 2010 part L regulations), and internal water usage (WAT1) (105 litres/p/day) standards equivalent to Code for Sustainable Homes level 4. Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: policy 5.2 of the London Plan 2015 and policy CS15 of Merton's Core Planning Strategy 2011.
10. Prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to confirm the new dwelling units meet Lifetime Homes Standards based on the relevant criteria. Reason for condition: To meet the changing needs of households and comply with policy CS8 of the Adopted Core Strategy 2011.
11. Notwithstanding the details shown on the approved plans secure cycle storage for occupiers and supplemented by cycle parking for visitors shall be in place that is in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority, with the cycle storage and parking retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of cycles and to comply with policy CS18 of the Adopted Core Strategy [July 2011].
12. The development hereby permitted shall not be occupied until a Parking Management Strategy, including the layout and provision of spaces for all occupiers, visitors and persons with disabilities, has been

submitted in writing for approval to the Local Planning Authority and has been approved. The development shall thereafter operate in accordance with such measures as are approved unless the prior written approval of the Local Planning Authority is obtained to any variation. Reason for condition: To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011 and policy 6.13 of the London Plan (2015).

13. On-site parking provided in accordance with the Parking Management Strategy shall be provided before occupation and thereafter permanently retained for occupants of and visitors to the development. Reason for condition: To ensure the provision of an appropriate level of car parking and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011 and policy 6.13 of the London Plan (2015).
14. The development shall not be occupied until the parking layout has 20% provision for points to enable electric car charging. Such charging points as may be installed shall be permanently retained and maintained for use by occupiers of and visitors to the development. Reason. To provide charging facilities to facilitate low carbon emitting transport and to meet the objectives of London Plan policy 6.13.
15. Prior to first occupation of the proposed new dwellings refuse and recycling facilities shall be in place that are in accordance with the approved plans with the refuse and recycling facilities retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with policies CS13 and CS14 of the Adopted Core Strategy [July 2011].
16. Prior to first occupation of the dwellings boundary treatment in accordance with the approved plans and to match any materials pallets approved under a condition attached to this permission, shall be constructed and thereafter retained. Reason to ensure the satisfactory appearance of the development, to ensure the safety and security of future occupiers and to comply with policy DM.D2 of the Merton Sites and Policies Plan (2014) and policy CS.14 of the Merton LDF (2011).
17. The development shall not be occupied until the existing redundant crossover/s have been removed by raising the kerb and reinstating the footway in accordance with the requirements of the Highway Authority. Reason: In the interests of the safety of pedestrians and vehicles and to comply with the following Development Plan policies for Merton: policies CS18 and CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014.
18. No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays

- Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays. Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policy DM EP2 of Merton's Sites and Policies Plan 2014.
19. Any new external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary. Reason for condition In order to safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with policy DMD2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.
 20. No cables, wires, aerials, pipe work (except any rainwater down pipes as may be shown on the approved drawings) meter boxes or flues shall be fixed to any elevation facing a highway. Reason: To safeguard the appearance of the development and the visual amenities of the area and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
 21. (Construction phase) If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted and obtained written approval from the local planning authority for a remediation strategy detailing how this unspecified contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning authority. Reason. In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Policies plan policy DM.EP4 and to protect controlled waters.
 22. Notwithstanding the details shown on the approved plans, prior to first occupation of the proposed new dwellings measures to restrict general access to the proposed undercroft area shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority with these measures retained for the lifetime of the development. Reason for condition: To safeguard the amenities of the area and future occupiers and to ensure compliance with Sites and Policies policy DM D2 and policy CS14 of the Merton Core Planning Strategy 2011.
 23. The development shall not be occupied until full details of a landscaping and planting scheme has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of

proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development. Reason: To enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policies 5.1, 7.5 and 7.21 of the London Plan 2015, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, F2 and O2 of Merton's Sites and Policies Plan 2014.

INFORMATIVE: The applicant is advised that details of the Lifetime Homes standards can be found at www.lifetimehomes.org.uk.

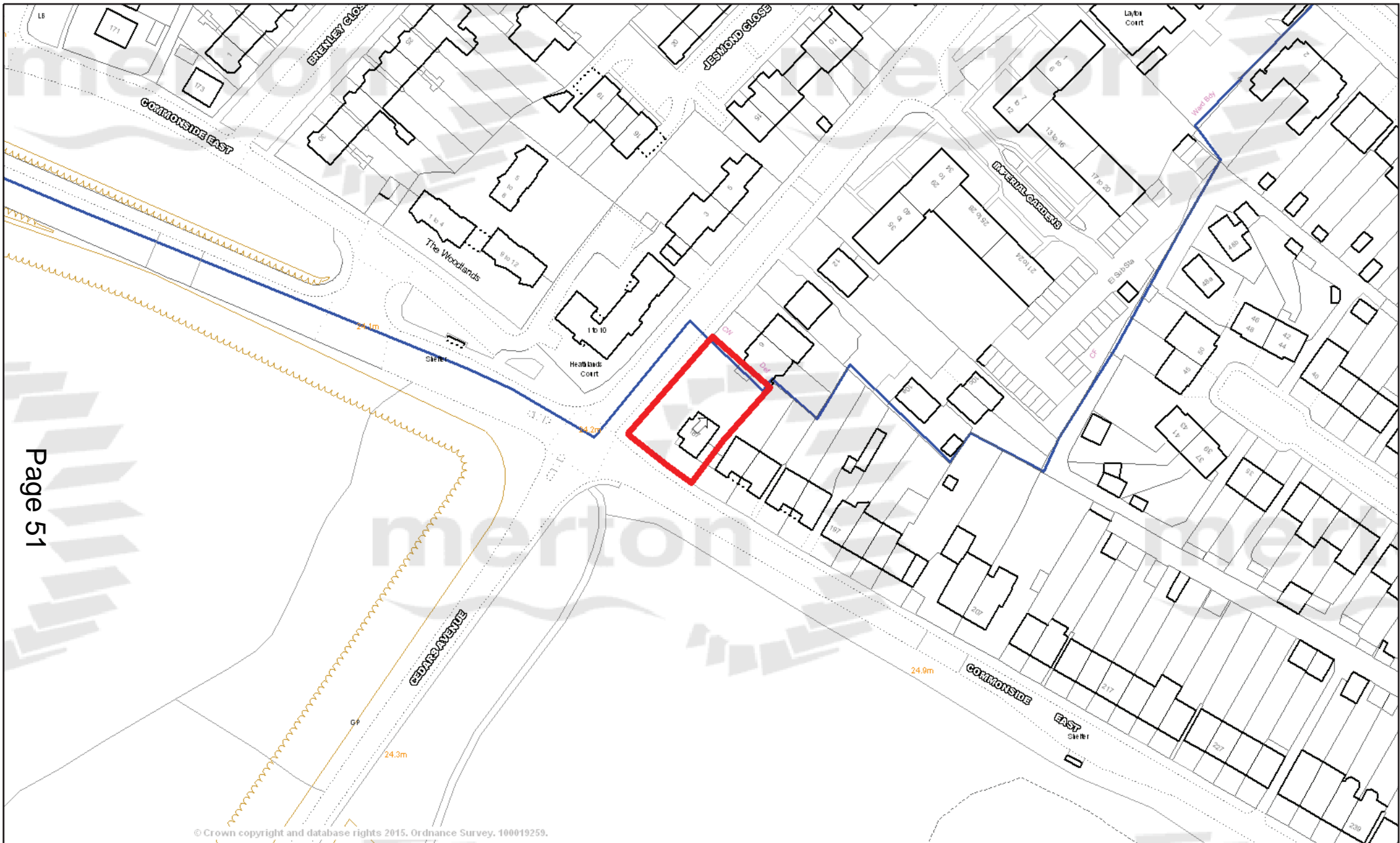
INFORMATIVE: The applicant is advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application. . In this instance the Planning Committee considered the application where the applicant or agent had the opportunity to speak to the committee and promote the application.

15. No infiltration of surface water drainage into the ground is permitted other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. Reason. Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could cause pollution of groundwater.

16. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details. Reason. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying ground water.

Appendix A.
Floorspace and amenity space provision.

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187 Commonside East

Scale 1/1250

Date 30/6/2015

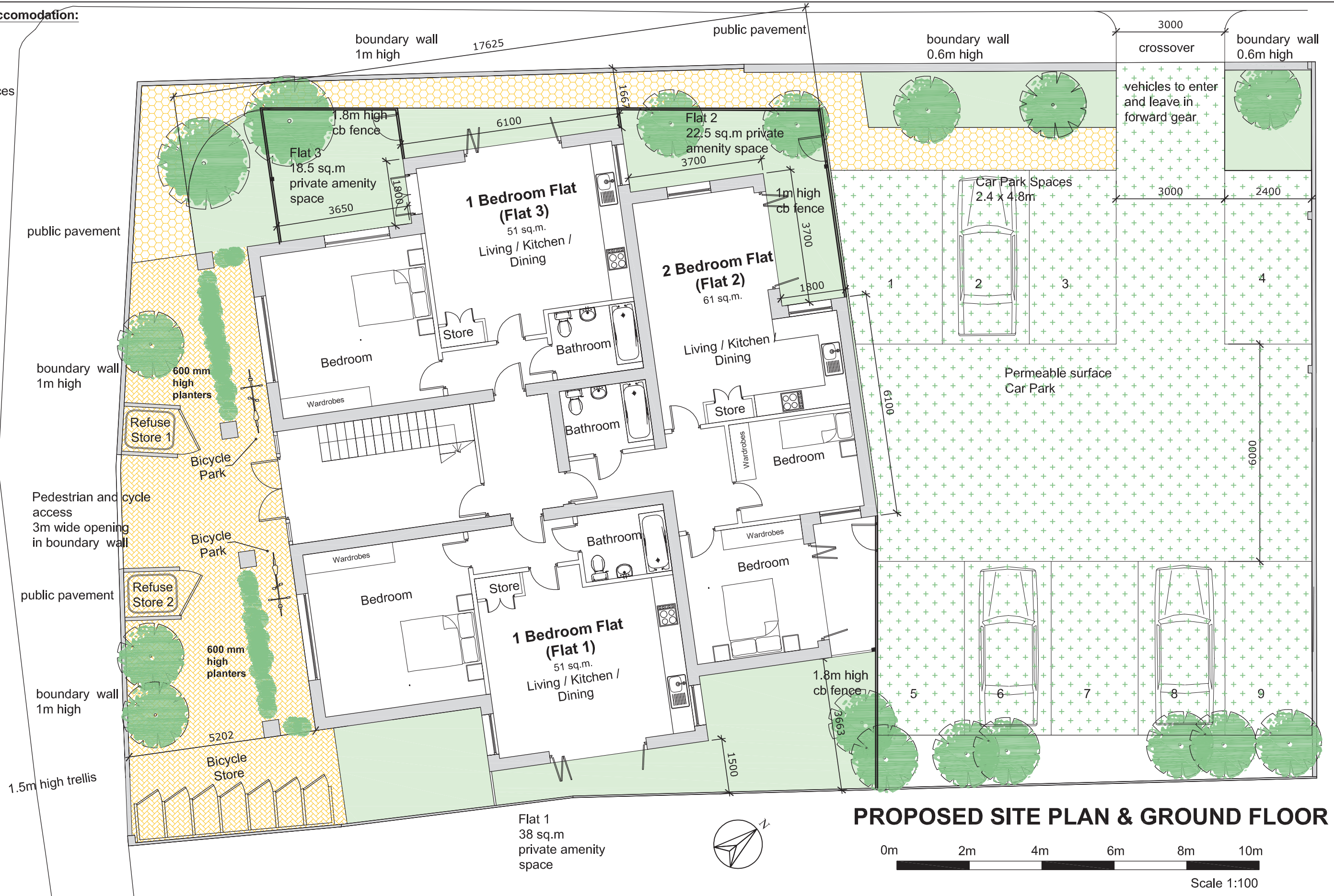
London Borough of Merton
 100 London Road
 Morden
 Surrey
 SM4 5DX



DEVELOPMENT CONTROL

Schedule Of Accomodation:

- 5 x 2 Bed Flats
- 4 x 1 Bed Flats
- 9 Car Park Spaces
- 9 Cycle Storage



PROPOSED SITE PLAN & GROUND FLOOR



PROPOSED SITE PLAN @ 1:100 scale @ A3

CLIENT : Mr CORRIGAN

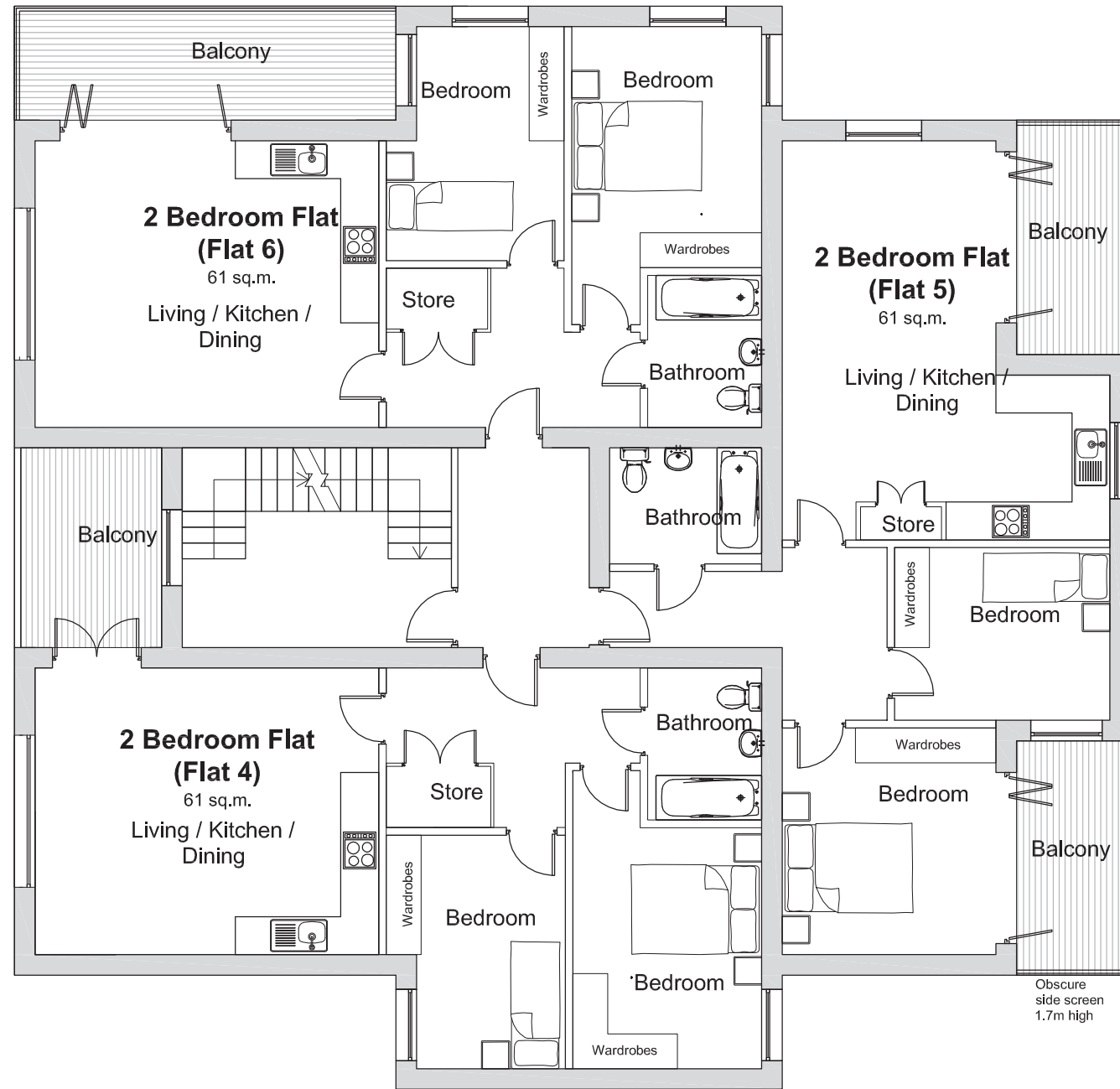
PROJECT: NEW DEVELOPMENT
187 COMMONSIDE SIDE EAST
MITCHAM
SURREY CR4 1HB

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Email: info@idealpd.co.uk

SCALE	1:100	DATE	05.12.2014
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PROJECT	Drawing No	REV.	
964	P.06	D	



PROPOSED FIRST FLOOR



PROPOSED FIRST FLOOR PLAN @ 1:100 scale @ A3

CLIENT : Mr CORRIGAN

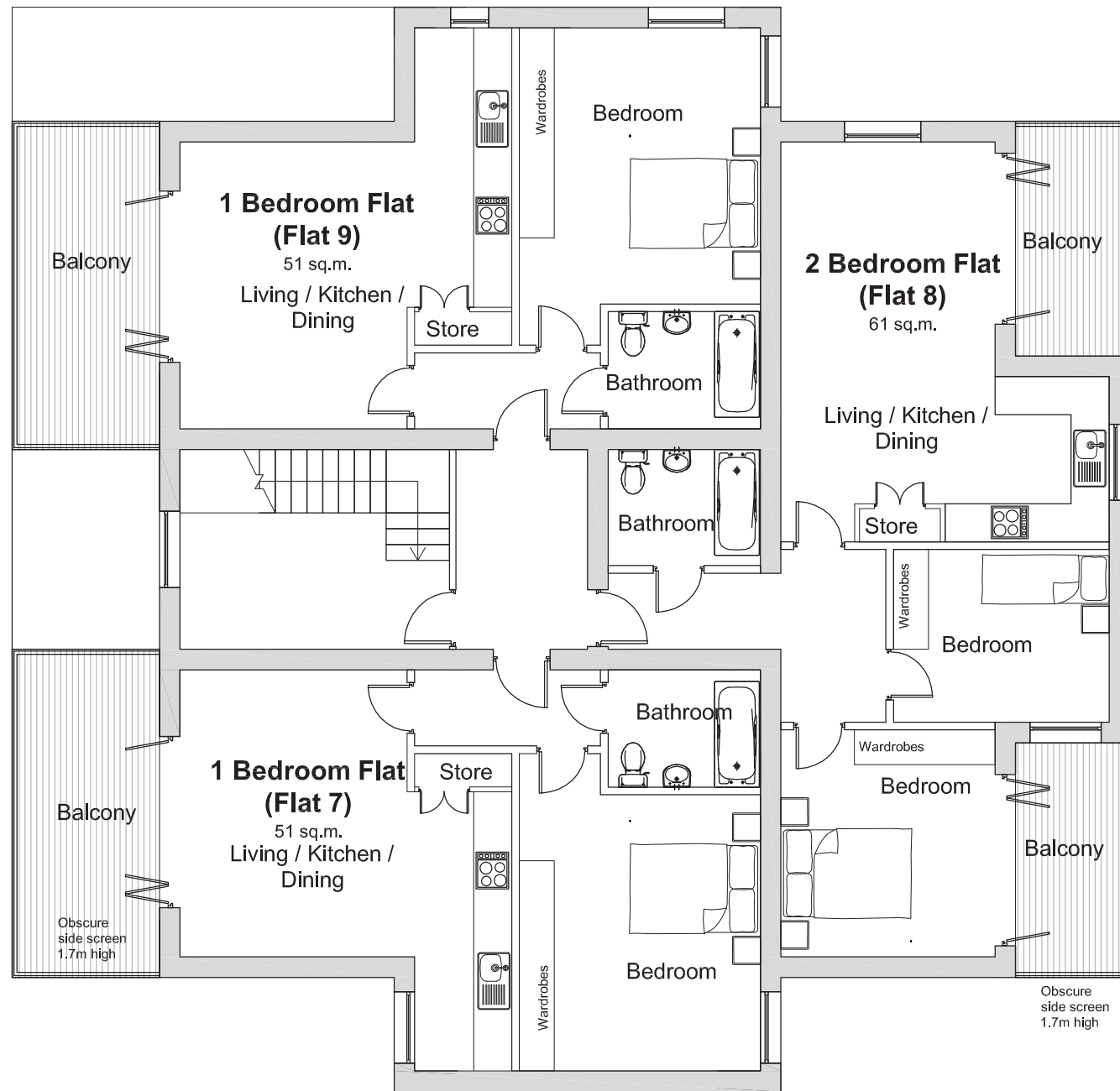
PROJECT: NEW DEVELOPMENT
187 COMMONSIDE SIDE EAST
MITCHAM
SURREY CR4 1HB

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Tel - 0208 8230750
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SCALE	1:100	DATE	6.12.2014
DRAWN	CTC		
PROJECT	Drawing No	REV.	
964	P.07	C	



PROPOSED SECOND FLOOR



PROPOSED SECOND FLOOR PLAN @ 1:100 scale @ A3

CLIENT : Mr CORRIGAN

PROJECT: NEW DEVELOPMENT
 187 COMMONSIDE SIDE EAST
 MITCHAM
 SURREY CR4 1HB

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SCALE	1:100	DATE	6.12.2014
DRAWN	CTC		
PROJECT	Drawing No	REV.	
964	P.08	C	

**PLANNING APPLICATIONS COMMITTEE
16 JULY 2015**

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	15/P2070	08/06/2015
Address/Site	94 – 96 Haydons Road and 1 – 3 Quicks Road, South Wimbledon, SW19 1HJ	
(Ward)	Abbey	
Proposal:	Redevelopment of site to provide 9 x residential units (comprising 1 x 1 bed, 6 x 2 bed and 2 x 3 bed flats) and 177.5 square metres of commercial space on ground floor.	
Drawing Nos	884/201, 884/03A, 884/04 C, 884/05 C, 884/06 E, 884/07 C, 884/08 C, 884/09 C, 884/10 B, 884/11 B, 884/12 B, 884/13 B, 884/14/A, 884/15 A, 884/16 A, 884/17 A, 884/19 A, Planning Statement, Design and Access Statement, Drainage Strategy (Rev B), Daylight/Sunlight Study, and Transport Report	
Contact Officer:	Sabah Halli (0208 545 3297)	

RECOMMENDATION

Grant Planning Permission subject to conditions and S106 Heads of Terms

CHECKLIST INFORMATION

- Heads of Agreement: The development being parking permit-free
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No

- Number of neighbours consulted: 44
- External consultations: No
- Controlled Parking Zone: Yes (S2 and 3F)

1. **INTRODUCTION**

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the number of objections received.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises 94-96 Haydons Road, a three-storey building in commercial use (Launderette) at ground floor and residential use above (1 x 4+ bedroom unit) and 1-3 Quicks Road, a two storey building in formerly in B1 (office), and separate single-1 ½ storey buildings to the rear of the site formerly in use as a vehicle repair garage.

- 2.2 Aside from a front area of ancillary parking for the garage, a small area adjoining the side boundary of 4 Quicks Road, and a small enclosed courtyard to the rear of no.94, the site is completely built on.

- 2.3 The Launderette and vehicle garage are still in use however the applicants state that the B1 unit is vacant.

- 2.4 The site is bounded to the side and rear by the side/rear curtilages of adjoining residential properties at Quicks Road and Trafalgar Road. Opposite the site, on Haydons Road, are residential dwellings and Haydons Road is a predominantly residential road with some commercial uses. Quicks Road is predominantly residential with some commercial uses also.

- 2.5 Opposite the site at Quicks Road is Haydons Road recreation ground.

- 2.6 The site is a (scattered) employment site.

- 2.7 The site is not located within a Conservation Area and there are no Tree Preservation Orders on the site.

3. **CURRENT PROPOSAL**

- 3.1 The proposal comprises the demolition of the existing buildings and the erection of a 3-4 storey building with commercial (A1/A2/B1) use within part of the ground floor and the remainder of the ground floor and floors above providing 9 residential units (1 x 1 bed, 6 x 2 bed, and 2 x 3 bed and 3 bed).

- 3.2 The residential units would be accessed from Haydons Road and Quicks Road and each would include their own private amenity space in the form of a balcony/terrace/patio.
- 3.3 The rear of the site, accessed off Quick's Road as existing, would comprise off-street parking (5 spaces including one disabled parking space) and covered refuse and cycle storage.
- 3.4 There would be an element of soft-landscaping around the edges of the parking area and this car parking area would be accessed through proposed 2.1m steel gates for security. 2.1m high brick walling is proposed along the side and rear boundaries with the properties at Quicks Road and Haydons Road.
- 3.5 Materials proposed are double glazed Aluminium and doors windows, multi-stock brick work, cast stone paneling, and 'rain screen' stone paneling.
- 3.6 A sedum roof is proposed for part of the roof and with photovoltaic cells.
- 3.7 The applicants advise that the units would be built to Lifetime Homes standards.

4. **PLANNING HISTORY**

- 4.1 14/P4221 - PROPOSED DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF THREE - FOUR STOREY BUILDING WITH 84.7 M2 OF COMMERCIAL SPACE (A1, A2 AND B1 USE) AT GROUND FLOOR AND 7 X 3 BED AND 3 X 3 BED RESIDENTIAL UNITS AT GROUND FLOOR AND ABOVE, WITH ASSOCIATED PARKING AND LANDSCAPING. Refused on the following rounds:
 - 1. The proposed development by virtue of its bulk, scale, massing, siting and height would result in an excessively large and over bearing development, out of character with the surrounding area, and an over development of the plot. As such, the proposed development is contrary to policy CS 14 of the London Borough of Merton Core Strategy - 2011, policies DM D1 and DM D2 of the London Borough of Merton Sites and Policies Plan 2014, and the Council's New Residential Development SPG.
 - 2. The proposed development by virtue of its bulk, scale, massing, siting and height would result in an excessively large and over bearing development, to the detriment of the outlook of the adjoining properties, particularly 90 and 92 Haydons Road. As such, the proposed development is contrary to policy CS 14 of the London

Borough of Merton Core Strategy - 2011, policy DM D2 of the London Borough of Merton Sites and Policies Plan 2014, and the Council's New Residential Development SPG.

3. The proposed development would result in a loss of employment land, and within a defined scattered employment site, with no justification and contrary to policy CS12 of the London Borough of Merton Core Strategy and policy DME3 of the London Borough of Merton Sites and Policies Plan - 2014.

4.2 14/P1652/NEW - PRE-APPLICATION ADVICE FOR THE REDEVELOPMENT OF SITE TO PROVIDE 195.5 SQUARE METRES OF COMMERCIAL SPACE ON GROUND FLOOR AND 10 x RESIDENTIAL UNITS ABOVE.

4.3 11/P2403/NEW - PRE APPLICATION ADVICE - REDEVELOPMENT OF SITE TO PROVIDE RETAIL & RESIDENTIAL UNITS

5. **CONSULTATION**

5.1 The application has been advertised by site notice and letters of notification to the occupiers of neighbouring properties. 8 representations have been received (7 objections (including one group objection on behalf 15 properties) and 1 support):

- Concerns regarding loss of privacy to rear gardens of adjoining properties from the top floor flat terrace area and other rear windows facing the those gardens
- Loss of security to rear gardens of adjoining properties and the proposed 2.1m fence should be higher.
- The car park will result in a loss of security to the properties at the rear of the site
- Pressure on local parking conditions from the additional flats
- There is no affordable housing proposed
- Noise pollution from people living in the proposed flats and from the proposed commercial unit
- Disruption from construction (Note: This is not a Planning matter)

- The modern, square, design of the development is out of keeping with the Victorian terrace character of the area
- The development is overbearing in terms of its scale and height and will set a negative precedent for other similar development
- The proposed materials are not of a high quality and would not be in keeping with the character of the area. More traditional materials should be used
- The shop window frontage is too large and should be reduced in scale so as to appear less overbearing especially when viewed from the park
- There are enough retail units and cafes and other commercial units in the locality
- Excessive burden on local utilities from an addition 7 flats
- The development, in addition to others in the locality, is contributing to overcrowding problems at local stations such as South Wimbledon underground station and local bus stops
- Increase in local waste and fly tipping as a result of the additional flats
- Impact on local Foxes
- Redevelopment of the site is welcomed however this scheme is not in keeping with the surrounding area
- This amendments to the scheme are great and such a building will improve the local area
- The current buildings on site are unsightly and out of keeping with the tidy neighbourhood

5.2 Transport Officer – It is noted that this is a resubmission of a previous scheme 14/P2211. The site is located on the corner of Haydons Road (A218) and Quicks Road. It is located within Controlled Car Parking Zone (CPZ) – S2. The site has a PTAL rating of 4 which indicates that it has good access to public transport services.

5.3 The proposed development includes ground floor commercial space at ground floor level plus 9 private residential units (flats) with 5 car parking spaces (one disabled) and 15 cycle spaces. A transport report was

- submitted with the application and this had been prepared in consultation with Future Merton and Merton Highways. No objections were raised on Transport grounds last time and the same is true on this occasion – especially in light of the reduced number of residential units.
- 5.4 The access will be in the same place as that proposed in the previously refused application, and this is considered acceptable.
- 5.5 The scheme has been agreed in principle with the Highway Authority and as such is not considered to pose any difficulties from a highway point of view.
- 5.6 Therefore there are no transport objections subject to the new residential units being permit free secured through S106 obligation and conditions in respect of vehicle access to be provided, provision of vehicle parking, cycle parking to be implemented, parking management strategy, construction vehicles, and delivery and servicing plan to be submitted.
- 5.7 Climate Change Officer -
- 5.8 Residential
- 5.9 In accordance with the Government Ministerial Statement of 25 March 2015, new residential developments in the borough granted planning permission after 25 March 2015 are not required to achieve a specified level of the Code for Sustainable Homes, unless:
- they are legally contracted to apply for a Code policy (e.g. affordable housing funded through the National Affordable Housing Programme 2015-18), or
 - a case has been granted permission subject to Code condition stipulating discharge of a Code level, legacy arrangements will apply
- 5.10 The council is permitted, and will continue to enforce the mandatory minimum requirements for energy performance and water efficiency at a level equivalent to Code for Sustainable Homes Level 4 for the delivery of new residential units across the borough. This will ensure compliance with Policy 5.2 of the London Plan 2015 and Policy CS15 of Merton's Core Planning Strategy 2011.
- 5.11 Evidence to demonstrate compliance with energy performance and water efficiency must therefore be submitted to the council prior to the occupation of the development and applied through Merton's Standard Sustainable Design and Construction (New Build Residential) Pre-Occupation Condition.

- 5.12 Evidence requirements are detailed in the “Schedule of Evidence Required - Post Construction Stage” under Category 1: Energy and Carbon Dioxide Emissions (ENE1: dwelling emissions rate) and Category 2: Water (WAT1: Indoor water use) of the Code for Sustainable Homes Technical Guide (2010).
- 5.13 Commercial
- 5.14 The development should be designed in accordance with Policy CS15 of Merton’s Core Planning Strategy 2011. The development should:
- Achieve a high standard of sustainability and make efficient use of resources and material and minimise water use and CO2 emissions
 - Demonstrate that it has been designed in accordance with the Mayor’s energy hierarchy (be lean; be clean; be green) outlined in Policy 5.2 of the London Plan 2015 and Policy CS15 part b of Merton’s Core Planning Strategy 2011. This advocates a ‘fabric first’ approach and maximising energy efficiency before seeking to address any shortfall in performance through the use of renewable technologies.
 - Be sited and designed to withstand the long term impacts of climate change
- 5.15 As the development falls below the 500m2 threshold, the BREEAM (Building Research Establishment Assessment Method) pre-commencement and pre-occupation standard conditions do not need to be applied.
- 5.16 Flood Management Engineer – Should the application be approved, a condition in respect of a surface water drainage scheme should be imposed in addition to an informative in respect of connecting to a public sewer.
- 5.17 Environmental Health Officer – Same comments as for application 14/P2211: Should it be minded to approve the application then it is recommend that planning conditions in respect of noise levels, acoustic survey, external lighting, site investigation for contamination and remediation if needed, be attached to any approval.
- 5.18 Planning Policy Officer - The applicant’s planning statement paragraph 7.27 sets out a table of existing floorspace, illustrating that the site contains 506sqm B1 floorspace and 60.8 sui generis floorspace (respectively a car repairs and laundrette), a total of over 500sqm employment floorspace. However, the quality of employment space will be much improved in the new scheme, with new insulation standards, which will help to protect the amenity of business occupiers and residential

neighbours alike. The former use of this site as a car repair garage is an historic land use that would not normally be supported on a tightly bound site such as this one

- 5.19 The two information letters accompanying the application are from estate agents citing strong demand for the new 177sqm of commercial premises, which is useful and is hopefully an indicator of market attractiveness, but there is no evidence that the applicant has demonstrated that the whole site is undeliverable and unviable for whole-site employment use by marketing the site for employment or community uses in accordance with policy DM.E3
- 5.20 There is a well established need for new homes across the whole of London, set out clearly in the London Plan 2015 and in Merton's Core Planning Strategy CS.9. The nine new homes here help to meet government's high priority for housing.
- 5.21 It is considered that this a balanced judgement as to whether the new 177sqm modern commercial floorspace on the ground floor plus 9 new homes outweighs the loss of employment floorspace. Given that the site is a somewhat awkward shape and location, tightly bound by residential neighbours, but with a good road network, it seems that the applicant has made effective and optimal use of the site in providing new commercial floorspace as well as new homes.
- 5.22 As the applicant has not demonstrated that the site is not viable for whole-site employment use via full and proper marketing as required by policy DM.E3, especially as the applicant's information letters 1 and 2 support the view that there would be commercial demand for the site, if the application is to be approved, a condition should be attached to the application to prevent the 177sqm of commercial floorspace being converted from commercial to residential uses via the prior approval process (i.e. for shops or offices) in order to protect employment space in line with policies CS12 and DM.E3.

6. **POLICY CONTEXT**

- 6.1 The relevant policies within the Adopted Sites and Policies Plan (July 2014) are:

DM D1 (Urban Design and Public Realm), DM D2 (Design Considerations in all Developments), DM F2 (Sustainable Urban Drainage Systems and; Waste Water and Water Infrastructure), DM E3 (Protection of Scattered Employment Sites), DM EP2 (Reducing and Mitigating Noise), DM H3 (Support for Affordable Housing), DM O2 (Nature Conservation, Trees, Hedges and Landscape Features), DM T2 (Transport Impacts of

- Development), and DM T3 (Car Parking and Servicing Standards)
- 6.2 The relevant policies within the Adopted Merton Core Strategy (July 2011) are:
- CS 8 (Housing Choice), CS 9 (Housing Provision), CS 12 (Economic Development), CS13 (Open Space, Nature Conservation, Leisure and Culture), CS 14 (Design), CS 15 (Climate Change), and CS 20 (Parking, Servicing, and Delivery)
- 6.3 New Residential Development – SPG
Design – SPG
Planning Obligations – SPD
- 6.4 The relevant policies in the Further Alterations to the London Plan (FALP) (2015) are:
- 3.3 (Increasing Housing Supply)
3.4 (Optimising Housing Potential)
3.5 (Quality and Design of Housing Developments)
3.8 (Housing Choice)
3.13 (Affordable Housing Thresholds)
5.2 (Minimising Carbon dioxide Emissions)
5.3 (Sustainable Design and Construction)
5.7 (Renewable Energy)
6.9 (Cycling)
6.10 (Walking)
6.13 (Parking)
7.4 (Local Character)
8.2 (Planning Obligations).
- 6.5 London Plan Housing SPG
- 6.6 National Planning Policy Framework (2012)

7. **PLANNING CONSIDERATIONS**

- 7.1 The principal planning considerations concern the principle of the demolition of the existing commercial and residential uses within the site, the design and appearance of the proposed development, its impact on the character and appearance of the surrounding area, and the impact of the development upon neighbour amenity, and parking.
- 7.2 Principle of the Demolition of the Existing Commercial and Residential Buildings

- 7.3 Core Strategy and Sites and Policies Plan policies seek to retain scattered employment sites/land and community uses/land. . The Council would not object to a 177.5m² flexible B1/A1/A2 use on the site in principle if equated to *at least or the same or more than the amount of employment floor space at the site at present.*
- 7.4 Application documents describe the site as comprising of a car repair garage to the rear of the site (accessed from Quicks Road) vacant workshop building (also accessed from Quicks Road) a launderette at ground floor level (accessed from Haydons Road), and 1 x 4 bedroom unit above the launderette. As confirmed by the applicant, this proposal will result in the loss of 61.3sqm of Sui Generis and 506.2 m² of B1 floor space and would re-provide 177.5m² of employment floor space in A1/A2/B1 use.
- 7.5 This site is a scattered employment site and as per the pre-application advice given to the applicants, the proposed development would need to meet the provisions of Policy CS12: Economic Development of the Core Planning Strategy and DME3: Protection of Scattered Employment Sites of the Sites & Policies Plan. This purpose of this policy is to prevent the loss of existing employment and potential opportunities on site. Paragraph 4.30 of Policy DME3 makes clear that for the purposes of this policy, ‘employment’ and business refers to premises or land that operates within the B1, B2 and B8 use as well as leisure and entertainment (D2 Use Class) and uses identified as sui generis where appropriate.
- 7.6 As advised as pre-application stage, this policy requires full and proper marketing of this site for both employment and community uses for a period of 2.5 years. To demonstrate that full and proper marketing has been undertaken for the site, paragraph 4.4 of the justification text states clearly that the council requires that:
- The site has been marketed for employment and community uses for the time period detailed in policy unless otherwise agreed with the council;
 - All opportunities to re-let the site has been fully explored (including more flexible use of the space);
 - The site has been marketed using a variety of methods and marketing tools available that are likely to attract business or community occupiers; and,
 - The site has been marketed at a price which is considered reasonable for employment or community uses (based on recent and similar deals or transactions)”.
- 7.7 The applicants could have provided the following supporting information (this list is not exhaustive) to illustrate that they have met Merton’s policy requirements, for example; photocopies of letters/ emails sent to people

- who would be interested in the property and appointments and termination of estate agents, the uploads of this site for marketing to various websites/ magazines and photographs of marketing board attached to the site. No such information in support of the proposal has been submitted with the application, although it was advised at pre-application stage and following the recently refused application that this information should be submitted..
- 7.8 Although no supporting marketing information has been submitted with the application, it is noted that the existing accommodation is dated and in poor condition, and the applicant has advised that significant internal works would be required in order to meet building, fire, and health and safety regulations. The quantum of employment space to be provided is significantly more than in the previously refused scheme and the quality of employment space will be much improved, with new insulation standards, which will help to protect the amenity of business occupiers and residential neighbours alike. The former use of this site as a car repair garage is also an historic land use that would not normally be supported on a tightly bound site such as this one
- 7.9 The two information letters accompanying the application are from Estate Agents citing strong demand for the new 177sqm of commercial premises, which is useful and is hopefully an indicator of market attractiveness, and although there is no evidence that the whole site is undeliverable and unviable for whole-site employment use by marketing the site for employment or community uses in accordance with policy DM.E3, it is considered on balance that the quantum of quality of the proposed flexible use floor commercial floor space mitigates for this.
- 7.10 There is a well established need for new homes across the whole of London, set out clearly in the London Plan 2015 and in Merton's Core Planning Strategy CS.9. The 9 new homes proposed here help to meet government's high priority for housing and it is considered that the Proposed 177sqm modern commercial floor space on the ground floor plus 9, high quality, new homes (of which most are suitable for family accommodation) outweighs the loss of employment floor space. Given that the site is a somewhat awkward shape and location, tightly bound by residential neighbours, but with a good road network, it is considered that the applicant has made effective and optimal use of the site in providing new commercial floor space as well as new homes.
- 7.11 Taking into consideration the design amendments made to the scheme since the previous refusal (discussed further below) and the increase in quantum of employment floor space, it is considered on balance, the proposed development has sufficiently overcome the previous policy objections to the scheme.

7.12 Design and Residential Amenity

7.13 Policies DM D1, DM D2, CS 14, and the Council's New Residential Development SPG seek to ensure that any new development is of a high standard of design and which respects or compliments its surroundings.

7.14 Policies CS 14 and DM D2 and the relevant Supplementary Planning Guidance (SPGs) seek to ensure that there would not be a detrimental impact on the residential amenities of the occupiers of the adjoining properties as a result of a proposed development.

7.15 Following pre-application advice from Officers, the proposed development has been amended since the previously refused application (14/P2211) in the following ways:

- Reduction in number of residential units from 10 to 9 units
- Increase in proposed replacement commercial floor space
- Reduction in height of rear element of development, adjoining the propose car parking area, from three storeys to two storeys
- Reduction in overall height of the proposed building
- Alteration in design and increased set back of fourth floor penthouse unit
- Reduction in massing of building at junction between Haydons Road and Quicks Road through removal of proposed fourth floor, corner, feature clock

7.16 Following the amendments made, the scheme is now considered acceptable in design terms.

7.17 The reduction in number of units in addition to the reduction in overall height of the development and other design amendments is considered would result in a well-designed scheme and which would enhance the junction between Haydons Road and Quicks Road. The scheme would replace buildings which have been added to the site over time in an ad hoc manner and which have become neglected and would result in the provision of a high standard of residential and commercial floor space.

7.18 The revised scheme is also now considered acceptable in amenity terms and would not result in a detrimental impact on the outlook or privacy of the occupiers of no's 90 and 92 Haydons Road. The reduction in height of the rear portion of the development in particular would result in a

development which would not now appear excessively large or overbearing.

- 7.19 The curtilage of no.92 is mostly built over aside from a small rear courtyard and a two storey building adjoins that boundary currently. The scheme proposes a two storey element also however unlike the present situation, this would be set 2m from the rear boundary of no.92, improving the outlook and daylight/sunlight for the property.
- 7.20 In terms of daylight/sunlight, the applicants have submitted a daylight/sunlight report assessing the proposed development in relation to the adjoining and surrounding properties and this concludes that any loss of daylight/sunlight would not be sufficient to warrant a refusal of planning permission.
- 7.21 A small rear balcony is proposed, which would immediately overlook the car parking area, however in the interests of the privacy of the occupiers of the properties along Haydons Road and Quicks Road it is considered that the side elevations of the balcony should be screened with obscured glazing to a height of 1.7m. The balcony would be located 11m from the rear boundary and this is considered sufficient distance such that there would not result a detrimental impact on the privacy of the occupiers of properties at Trafalgar Road. There is also one rear window adjoining the balcony, however this is not considered would result in a detrimental loss of privacy to the occupiers to the rear of the site at Trafalgar Road since it serves a bedroom and would be 11.5m from the rear boundary of the site.
- 7.22 There would be windows within the main building facing the rear of site however these would be high level windows and so are not considered would result in a detrimental loss of privacy to the occupiers of the properties at Haydons Road.
- 7.23 The Quicks Road elevation of the development faces onto Haydons Road recreation ground and to the Haydons Road elevation it is not considered that there would be any more overlooking than from the existing first and second floor residential accommodation. There are concerns regarding the roof terrace of the penthouse flat in terms of privacy however a condition could be imposed on any approval to include obscure glazed screening to the rear elevation of at least 1.8m.
- 7.24 Concerns have been raised by residents regarding an increase in noise and light pollution from the rear car park however it is not unusual for residential properties to be located adjoining car parking areas, for example along most standard residential roads. There are only 5 car parking spaces and so activity to the car park is not considered would be at a high level and a condition can be imposed on any approval requiring

any lighting to be positioned in such a way to avoid undue glare to neighboring properties.

7.25 The inclusion of a security gate to the car park is welcomed.

7.26 Standard of Accommodation

7.27 Table 3.3 of the London Plan 2011 requires a minimum gross internal area (GIA) of 50m² for 1 bedroom/2 person units, 70m² for 2 bedroom/4 person units, 74m² for 3 bedroom/4 person units, and 95m² for 3 bedroom/6 person units. This standard would be met for all of the proposed flats.

7.28 Policy DM D2 and Housing SPG require a minimum of 5m² of private outdoor space should be provided for 1-2 person dwellings and an extra 1m² for each additional occupant.

7.29 The ground floor unit would be provided with front and rear private amenity space in excess of this and the balconies provided for the remaining units would comply with this standard.

7.30 Refuse and recycling, and cycle storage would comprise covered stores within the rear car park and would be only accessible to the residents of the flats. This is acceptable in principle and conditions can be imposed on any approval requiring the proposed cycle and refuse storage areas be implemented prior to occupation of the development.

7.31 If approved, the dwellings would be required to be built to Lifetime Homes standards.

7.32 Landscaping

7.33 There are no trees within the site however it is proposed to introduce an element of soft landscaping along part of the side and rear boundaries of the car parking and this is welcomed. Amenity areas for the residential units comprise balconies/terraces so there is no scope of soft landscaping aside from, potted plants potentially installed by occupants.

7.34 A condition is recommended be imposed requiring approval of the proposed hard and soft landscaping prior to commencement of works.

7.35 Highways

7.36 The Council's Transport Officer has no objections on highways grounds subject to conditions in respect of the vehicle access to be provided, provision of vehicle parking, cycle parking to be implemented, construction

vehicles, and a Delivery and Servicing Plan be submitted. Informatives in respect of the construction of accesses, and works affecting the public highway are also requested be added to any approval.

- 7.37 The proposal includes 5 off-street parking spaces (including one disabled parking space) however to protect existing residents' parking, the new units would be required to be 'permit free' by a S106 legal agreement.

8 SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

- 8.1 The proposal is for minor residential development and an Environmental Impact Assessment is not required in this instance.

- 8.2 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms an EIA submission.

- 8.3 The new dwellings would be required to be built to Lifetime Homes standards.

9 MAYORAL COMMUNITY INFRASTRUCTURE LEVY

- 9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy, the funds for which will be applied by the Mayor towards the Crossrail project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to agree to pay CIL.

10 MERTON'S COMMUNITY INFRASTRUCTURE LEVY

- 10.1 Merton's Community Infrastructure Levy was implemented on 1st April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure should be collected except for affordable housing.

11 S106 LEGAL AGREEMENT

- 11.1 As of 28 November 2014, the NPPG was updated setting out that planning obligations (section 106 planning obligations) in respect of affordable housing contributions should not be sought from small scale and self-build development.

- 11.2 The council will no longer seek financial affordable housing contributions from developments of 10-units or less and which have a maximum combined gross floorspace of no more than 1000sqm. Development proposals will be assessed as to the capability of the site for 10 units or more and the floorspace that is proposed.
- 11.3 Alongside Merton's CIL planning obligations for site specific infrastructure may still be required to make a development acceptable in planning terms.
- 11.4 The proposed development would result in a net gain of 8 new units and since the site is located within Controlled Parking Zones, the dwellings would be required to be 'permit free' by a S106 legal agreement. To ensure the development is 'car free' in line with policy on sustainable transport, future occupants of the development would not be eligible for parking permits.

12 CONCLUSION

- 12.1 In conclusion, it is considered that the principle of the development is acceptable in policy terms and would not adversely impact on the character of the area. The design, siting, size, height and materials of the proposed building are in keeping with the varied character of the surroundings. The residential amenities of the occupiers of the adjoining residential properties would not be sufficiently affected to warrant a refusal and the development provides an acceptable quality of accommodation for future occupiers.

RECOMMENDATION

GRANT PLANNING PERMISSION

Subject to the completion of a S106 agreement covering the following heads of terms:

1. Designation of the development as car-free and that on-street parking permits would not be issued for future residents of the proposed development.
2. The developer agreeing to meet the Council's costs of preparing, drafting, or checking the agreement.
3. The developer agreeing to meet the Council's costs of monitoring the agreement.

And the following conditions:

1. A1 Commencement of Development (full application)
2. A7 Plans
3. B1 External Facing Materials to be Approved
4. B4 Details of Site/Surface Treatment
5. B5 Details of Walls/Fences
6. B6 Levels
7. C6 Refuse and Recycling (Commercial Unit)
8. C7 Refuse & Recycling (Implementation) (Residential)
9. C8 No Use of Flat Roof
10. C10 Balconies (Screening details to be provided)
11. D1 Hours of Use
12. D3 Restriction on Music/Amplified Sound
13. D6 Kitchen Ventilation Extract System (If A1 use)
14. D10 External Lighting
15. D11 Hours of Construction
16. E5 Restriction in Use (B1/A1/A2)
17. E11 Staff on Premises (1 hour after closing)
18. F1 Landscaping/Planting Scheme (including new trees within the site)
19. F2 Landscaping (Implementation of Details Approved for Condition 13)
20. F9 Hardstandings
21. H2 Vehicle Access to be Provided
22. H4 Provision of Vehicle Parking
23. H7 Cycle Parking - Implemented

24. H9 Construction Vehicles
25. H11 Parking Management Strategy
26. H12 Delivery and Servicing Plan to be Submitted
27. H14 Gates Shall Not Open Over Adjacent Highway
28. J1 Lifetime homes
29. Non-Standard Condition - Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery shall not exceed LA90-10dB at the boundary with the closest residential property.
- Reason: To safeguard the amenities of surrounding area and to ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2011, policy CS7 of Merton's Core Planning Strategy 2011 and policy DM EP2 of Merton's Sites and Polices Plan 2014.
30. Non-Standard Condition - Due to the potential impact of the surrounding locality on the development a noise survey undertaken by a competent acoustic consultant is to be undertaken having regard to all relevant planning guidance, codes of practice and British Standards for the investigation of noise and residential noise acceptability standards. The survey shall include recommendations and appropriate remedial measures, including methods of ventilation and actions to minimise the impact of the surrounding locality on the development and shall be agreed and approved by the Local Planning Authority.
- Reason: To safeguard the amenities of surrounding area and to ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2011, policy CS7 of Merton's Core Planning Strategy 2011 and policy DM EP2 of Merton's Sites and Polices Plan 2014.
31. Non-Standard Condition - An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings

must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: In order to protect the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2011 and policy DM EP4 of Merton's Sites and Polices Plan 2014.

32. Non-Standard Condition - Subject to the site investigation for contaminated land, if necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: In order to protect the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2011 and policy DM EP4 of Merton's Sites and Polices Plan 2014.

33. Non-Standard Condition - Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2011 and policy DM EP4 of Merton's Sites and Polices Plan 2014.

34. Non-Standard Condition - Following the completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: In order to protect the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2011 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

35. Non-Standard Condition - In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: In order to protect the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2011 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

36. Non-Standard Condition - No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or surface water sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards.

Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates as reasonably practicable and no greater than 8 l/s and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation;
- iii. the technical specification and make up of the proposed green roof and underlying drainage layer; and
- iiii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by a private management company and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: In the interests of the sustainable drainage of the proposed

development, in compliance with policy CS15 of the London Borough of Merton Core Strategy (2011) and policy DM F2 of the London Borough of Merton Sites and Policy Plan (2014).

37. Non-Standard Condition: Restriction on Change of Use from Commercial to Residential Use under Prior Approval

Reason: In the interests of retaining this scattered employment site, in compliance with policy CS12 of the London Borough of Merton Core Strategy (2011) and policy DM.E3 of the London Borough of Merton Sites and Policies Plan (2014).

38. Non-Standard Condition: Due to the potential impact of the surrounding locality on the residential development, a scheme for protecting residents from noise shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The scheme is to include acoustic data for the glazing system and ventilation system. The internal noise levels shall meet those within BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings as a minimum. The approved scheme shall be implemented in accordance with the agreed details.

Reason: In order to protect the amenities of adjoining occupiers in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2011 and policy DM EP4 of Merton's Sites and Polices Plan 2014.

39. Non-Standard Condition: Deliveries to each of the commercial units associated with the development shall not be undertaken outside of the hours of 07.30 hours until 21:00 hours Monday to Saturday, and 08:30 to 20:00 hours on Sunday and Public Holidays.

Reason: In order to protect the amenities of adjoining occupiers in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2011 and policy DM EP4 of Merton's Sites and Polices Plan 2014.

40. Non-Standard Condition: No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period.

The Statement shall provide for:

-hours of operation

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative - displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of noise and vibration during construction.
- measures to control the emission of dust and dirt during construction/demolition
- a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In order to protect the amenities of adjoining occupiers in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2011 and policy DM EP4 of Merton's Sites and Polices Plan 2014.

Informatives:

INF 8 Construction of Accesses

INF12 Works affecting the public highway

When/if it is proposed to connect to a combined public sewer, the site drainage should be separated between foul and surface water. Connections are not permitted for the removal of ground water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

Note 1



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1-3 Quicks Rd

Scale 1/1250

Date 2/7/2015

London Borough of Merton
 100 London Road
 Morden
 Surrey
 SM4 5DX



DEVELOPMENT CONTROL



REV	DATE
REVISIONS	
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+44 (0)20 7228 0888	
CLIENT	Haydons Road Ltd
PROJECT	94-96 Haydons Road, SW19.
DRAWING TITLE	Site & Location Plan
SCALE	1:1250@ A3 1:500@ A3
DATE	April 2014
DRAWN	DRAWING No.
CHECKED	884/201
	REV



No.115

1/100

ALL LEVELS ARE IN METRES RELATED TO AN O.S.B.M LOCATED ON AN ELECTRICITY SUB STATION EAST OF HAYDONS ROAD APPROXIMATELY 25M NORTH OF QUICKS ROAD (value 14.20m)

0 2 4 6 8 10 M

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ST01	10000.000	5000.000	13.793	PIN
ST02	9987.072	5048.247	13.985	PIN
ST03	9951.294	5039.354	13.967	PIN
ST04	9906.812	5029.811	13.924	PIN
ST05	9911.170	4969.580	13.828	PIN

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REV	DATE	DESCRIPTION
A	Oct14	Planning issue



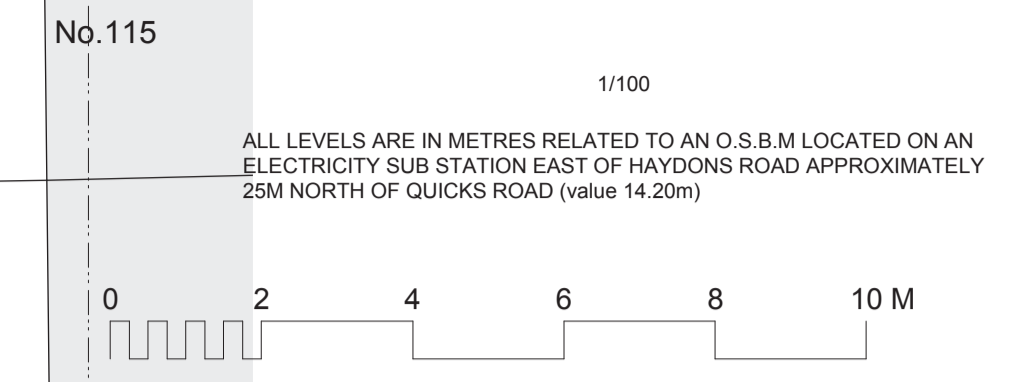
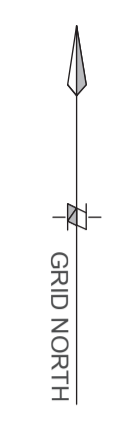
CLIENT +44 (0)1223 894778

CLIENT Haydons Road Ltd.

PROJECT 94-96 HAYDONS ROAD LONDON SW19 1HJ

DRAWING TITLE Existing Site Plan

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DRAWN	1/100 @A1	DRAWING NO.	884/03
CHECKED		REV	A

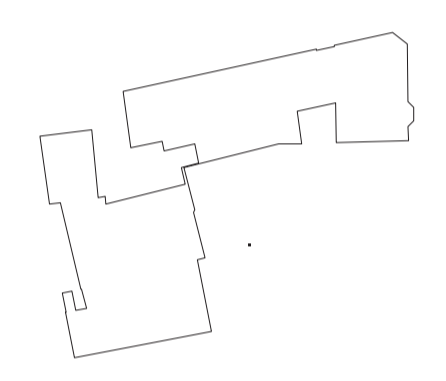


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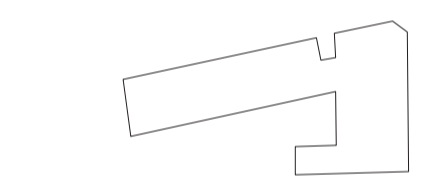
Hatched area is area of buildings to be demolished

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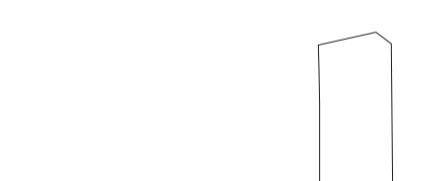
GROSS INTERNAL AREAS



GROUND GIA 502m.sq.



FIRST GIA 190m.sq.



SECOND GIA 73m.sq.

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CHECKED		REV	A



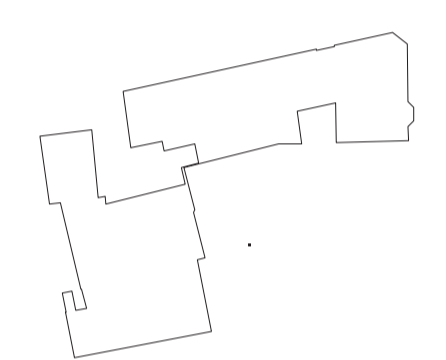
Page 81

No.115
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 ALL LEVELS ARE IN METRES RELATED TO AN O.S.B.M LOCATED ON AN ELECTRICITY SUB STATION EAST OF HAYDONS ROAD APPROXIMATELY 25M NORTH OF QUICKS ROAD (value 14.20m)

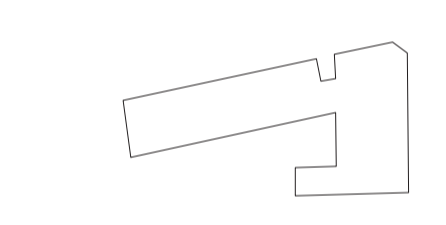


LEGEND
 Hatched area is area of buildings to be demolished

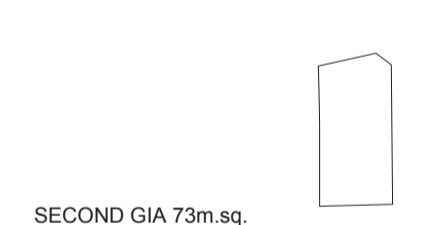
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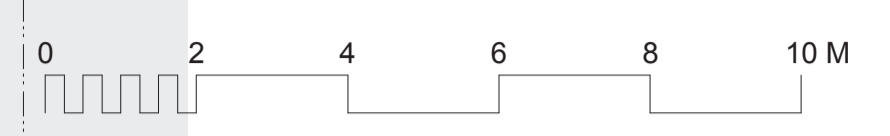


SECOND GIA 73m.sq.

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PROJECT Haydons Road Ltd. 94-96 HAYDONS ROAD LONDON SW19 1HJ				
DRAWING TITLE Existing First Floor Plan				
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DRAWN	1/100 @A1	DRAWING NO.	884/16	REV A
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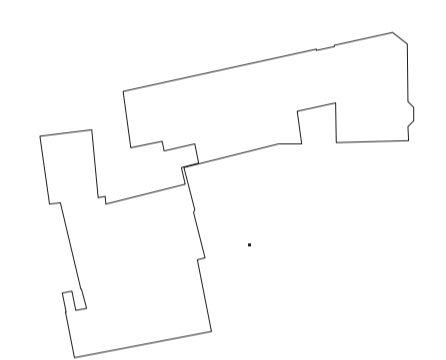


No.115
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 ALL LEVELS ARE IN METRES RELATED TO AN O.S.B.M LOCATED ON AN ELECTRICITY SUB STATION EAST OF HAYDONS ROAD APPROXIMATELY 25M NORTH OF QUICKS ROAD (value 14.20m)

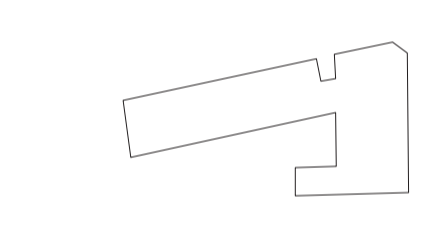


LEGEND
 Hatched area is area of buildings to be demolished

GROSS INTERNAL AREAS



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FIRST GIA 190m.sq.

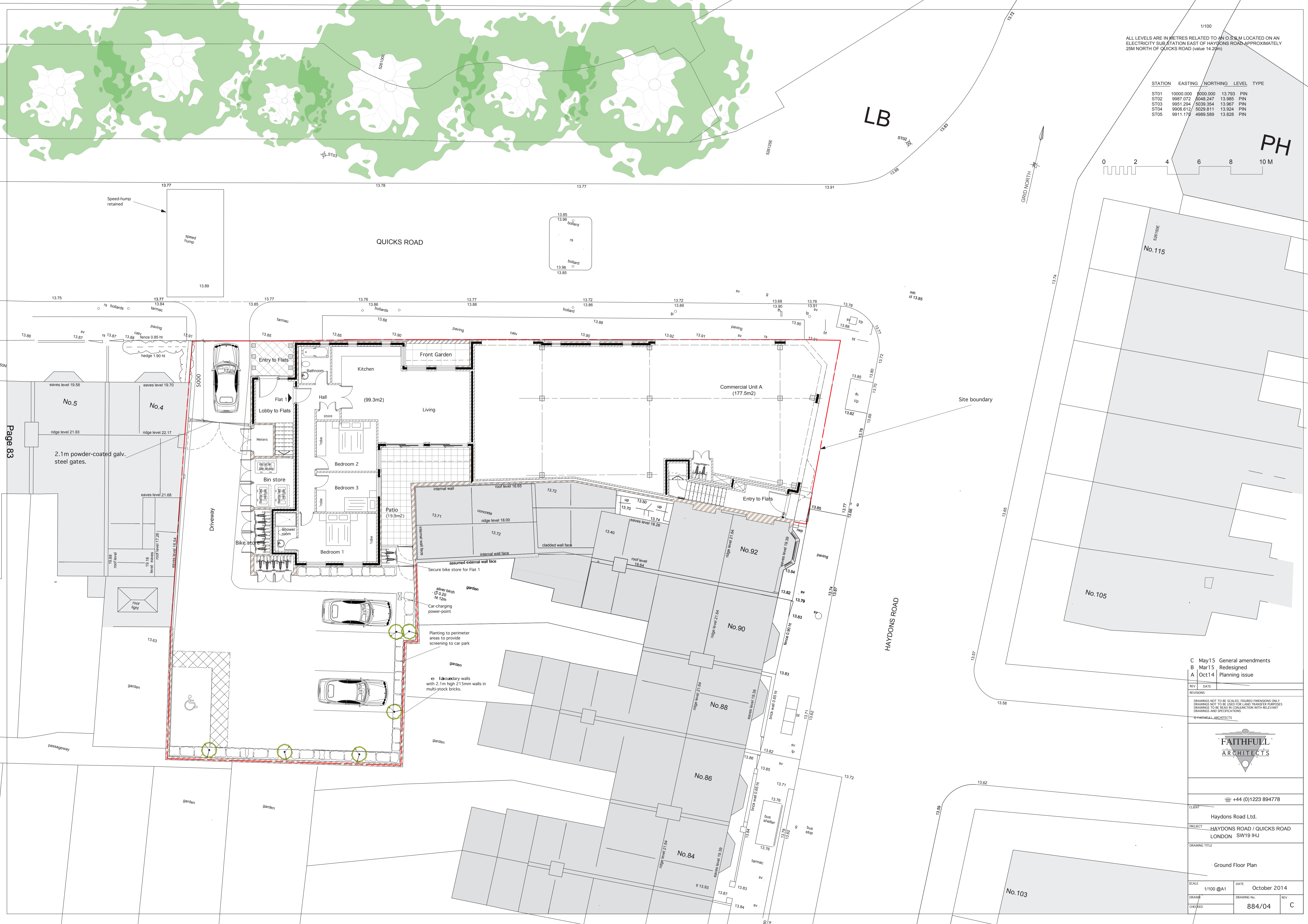
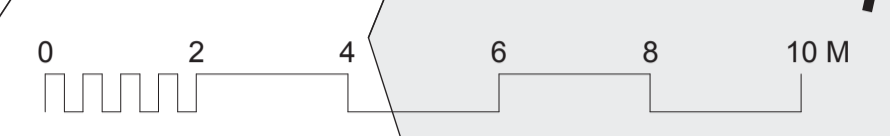


SECOND GIA 73m.sq.

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CLIENT +44 (0)1223 894778				
PROJECT Haydons Road Ltd. 94-96 HAYDONS ROAD LONDON SW19 1HJ				
DRAWING TITLE Existing Second Floor Plan				
SCALE 1/200 @A3 1/100 @A1		DATE October 2014		
DRAWN		DRAWING NO.		REV
CHECKED		884/17		A

ALL LEVELS ARE IN METRES RELATED TO AN O.S.M. LOCATED ON AN ELECTRICITY SUB-STATION EAST OF HAYDONS ROAD APPROXIMATELY 25M NORTH OF QUICKS ROAD (value 14.2m)

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ST03	9951.204	5039.354	13.987	PIN
ST04	9908.612	5029.811	13.924	PIN
ST05	9911.177	4989.589	13.828	PIN



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REV	DATE	DESCRIPTION
C	May15	General amendments
B	Mar15	Redesigned
A	Oct14	Planning issue

REVISIONS
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DRAWINGS NOT TO BE USED FOR LAND TRANSFER PURPOSES
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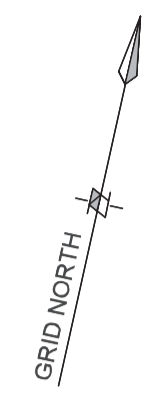
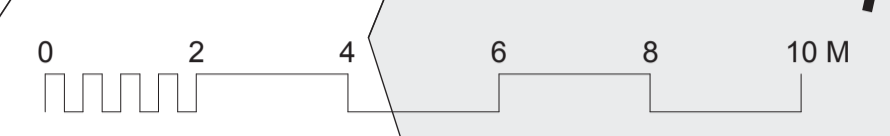


CLIENT: +44 (0)1223 894778
 Haydons Road Ltd.
 PROJECT: HAYDONS ROAD / QUICKS ROAD
 LONDON SW19 1JH
 DRAWING TITLE: Ground Floor Plan

SCALE	DATE
1/100 @A1	October 2014
DRAWN	DRAWING No.
CHECKED	REV
	884/04
	C

ALL LEVELS ARE IN METRES RELATED TO AN O.S.M. LOCATED ON AN ELECTRICITY SUB-STATION EAST OF HAYDONS ROAD APPROXIMATELY 25M NORTH OF QUICKS ROAD (value 14.2m)

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ST03	9951.204	5039.354	13.967	PIN
ST04	9908.612	5029.811	13.924	PIN
ST05	9911.177	4989.589	13.828	PIN



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REV	DATE	DESCRIPTION
C	May15	General amendments
B	Mar15	Redesigned
A	Oct14	Planning issue

REVISIONS
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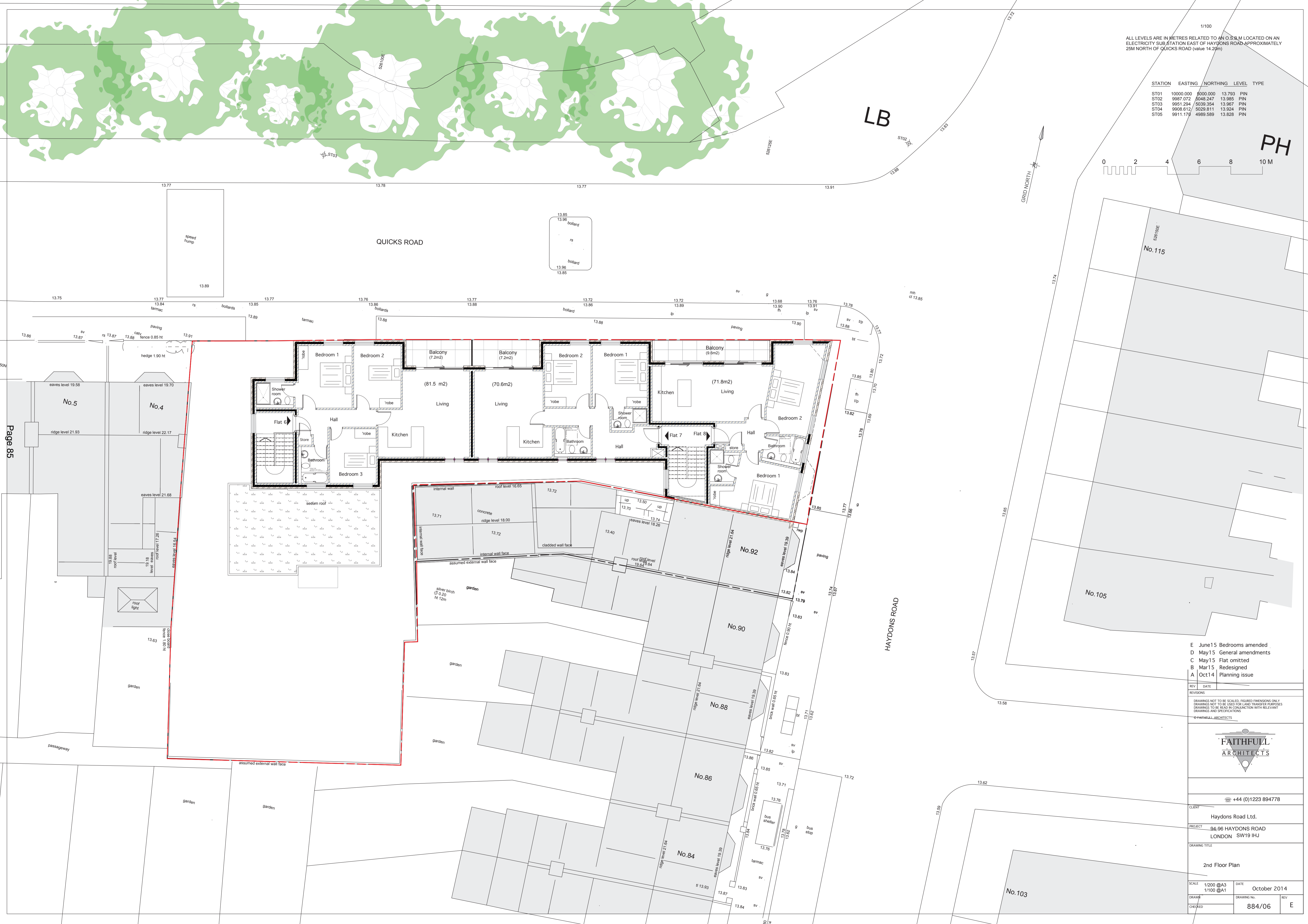
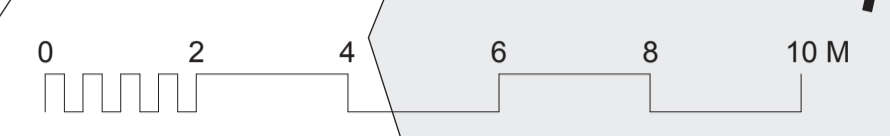


CLIENT: +44 (0)1223 894778
Haydons Road Ltd.
PROJECT: HAYDONS ROAD / QUICKS ROAD
LONDON SW19 1HJ
DRAWING TITLE: 1st Floor Plan

SCALE	DATE
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DRAWN	DRAWING No.
CHECKED	REV
	884/05
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ST04	9908.612	5029.811	13.924	PIN
ST05	9911.177	4989.589	13.828	PIN



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- E June15 Bedrooms amended
- D May15 General amendments
- C May15 Flat omitted
- B Mar15 Redesigned
- A Oct14 Planning issue

REV	DATE	REVISIONS



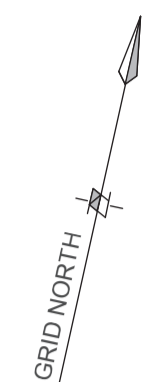
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 CLIENT: Haydons Road Ltd.
 PROJECT: 94-96 HAYDONS ROAD LONDON SW19 1HJ
 DRAWING TITLE: 2nd Floor Plan

SCALE	DATE
1/200 @A3	October 2014
1/100 @A1	
DRAWN	DRAWING No.
CHECKED	REV

884/06 E

ALL LEVELS ARE IN METRES RELATED TO AN O.S.M. LOCATED ON AN ELECTRICITY SUB STATION EAST OF HAYDONS ROAD APPROXIMATELY 25M NORTH OF QUICKS ROAD (value 14.2m)

STATION	EASTING	NORTHING	LEVEL	TYPE
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ST02	9987.072	5048.247	13.985	PIN
ST03	9951.204	5039.354	13.987	PIN
ST04	9908.612	5029.811	13.924	PIN
ST05	9911.177	4989.589	13.828	PIN



Blue lines outline previous scheme

Terrace set back from edge and balustrade as 1350mm obscured structural glazing to prevent overlooking to rear

Increase set back at 1st floor
Area omitted at 2nd floor
Blue lines outline previous scheme

C	May15	General amendments
B	Mar15	Redesigned
A	Oct14	Planning issue

REVISIONS
DRAWINGS NOT TO BE SCALED, FIGURED DIMENSIONS ONLY
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CLIENT Haydons Road Ltd.

PROJECT 94-96 HAYDONS ROAD LONDON SW19 1HJ

DRAWING TITLE 3rd Floor Plan

SCALE 1/200 @A3 DATE October 2014

DRAWN 1/100 @A1 DRAWING No. 884/07

CHECKED REV C

Schedule of accommodation:

Ground:
A = A1/A2/B1 @ 177.5m²

- 1 3-bed @ 99.3m²
- 1st Floor:
- 2 1-bed @ 50.4m²
- 3 2-bed @ 70.0m²
- 4 2-bed @ 70.3m²
- 5 2-bed @ 70.5m²
- 2nd Floor:
- 6 3-bed @ 81.5m²
- 7 2-bed @ 70.6m²
- 8 2-bed @ 71.8m²
- 3rd Floor:
- 9 3-bed @ 75.3m²

ALL LEVELS ARE IN METRES RELATED TO AN O.S.M. LOCATED ON AN ELECTRICITY SUB-STATION EAST OF HAYDONS ROAD APPROXIMATELY 25M NORTH OF QUICKS ROAD (value 14.2m)

STATION	EASTING	NORTHING	LEVEL	TYPE
ST01	10000.000	5000.000	13.793	PIN
ST02	9987.072	5048.247	13.985	PIN
ST03	9951.204	5039.354	13.987	PIN
ST04	9908.612	5029.811	13.924	PIN
ST05	9911.177	4989.589	13.828	PIN



Page 87

- C May15 General amendments
- B Nov14 Section C-C added
- A Oct14 Planning issue

REV	DATE	DESCRIPTION

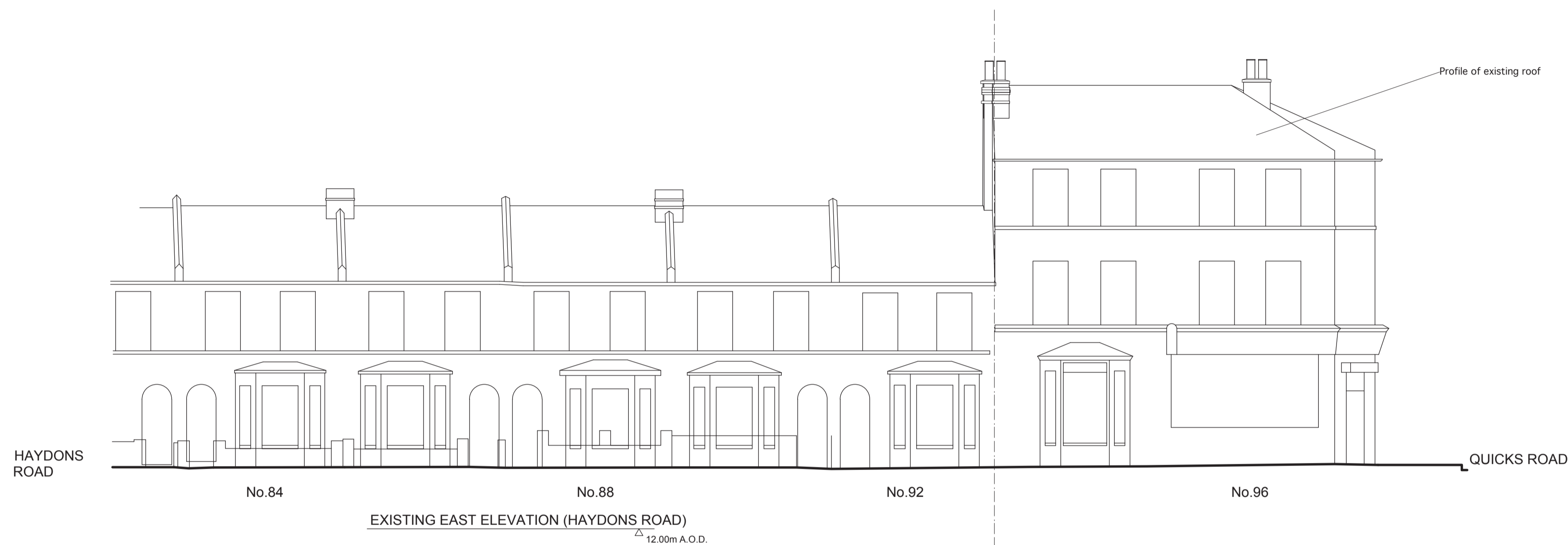


CLIENT: +44 (0)1223 894778
 Haydons Road Ltd.
 PROJECT: 94-96 HAYDONS ROAD
 LONDON SW19 1HJ
 DRAWING TITLE: Roof Level Plan

SCALE	DATE	
1/200 @A3	October 2014	
1/100 @A1		
DRAWN	DRAWING No.	REV
CHECKED	884/08	C

Materials:

- Roof: Single-ply Polymer-membrane with areas for services and PV panels.
- Walls: Part multi-stock brickwork and part reconstructed stone fibre-cement 'rainscreen' cladding and panelling with reconstituted stone cills, copings. Zinc cladding to roof level
- Windows: Powder-coated 'Velfac' double-glazed windows.
- Patio Doors: Powder-coated Al. sliding patio doors with double-glazed sealed glazing units.
- Front doors: Powder-coated Al. double-glazed doors and frames.
- Balustrading: Frameless SS on structural glazing system.
- Shop-front: To Tenant requirements.



- Roof
- 3rd Floor
- 2nd Floor
- 1st Floor
- Ground Floor



B May15 General amendments
 A Oct14 Planning issue

REV	DATE	DESCRIPTION

REVISIONS
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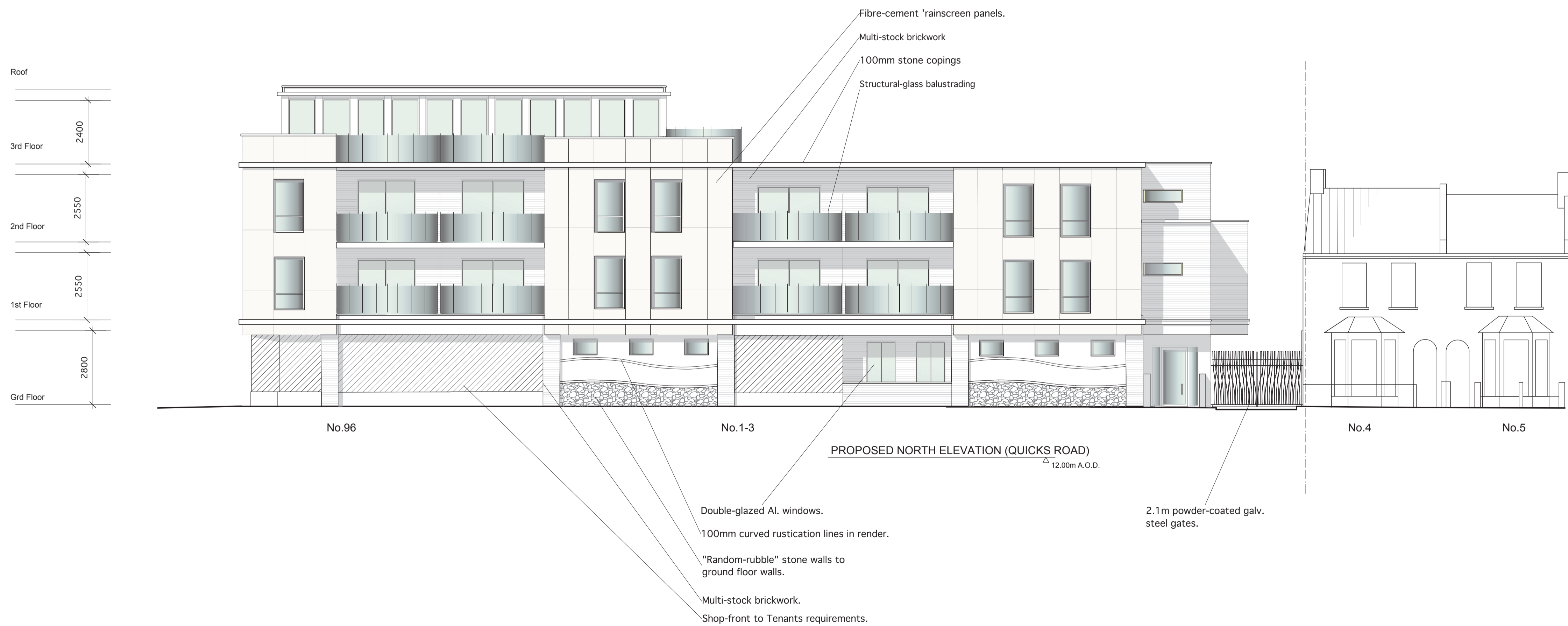
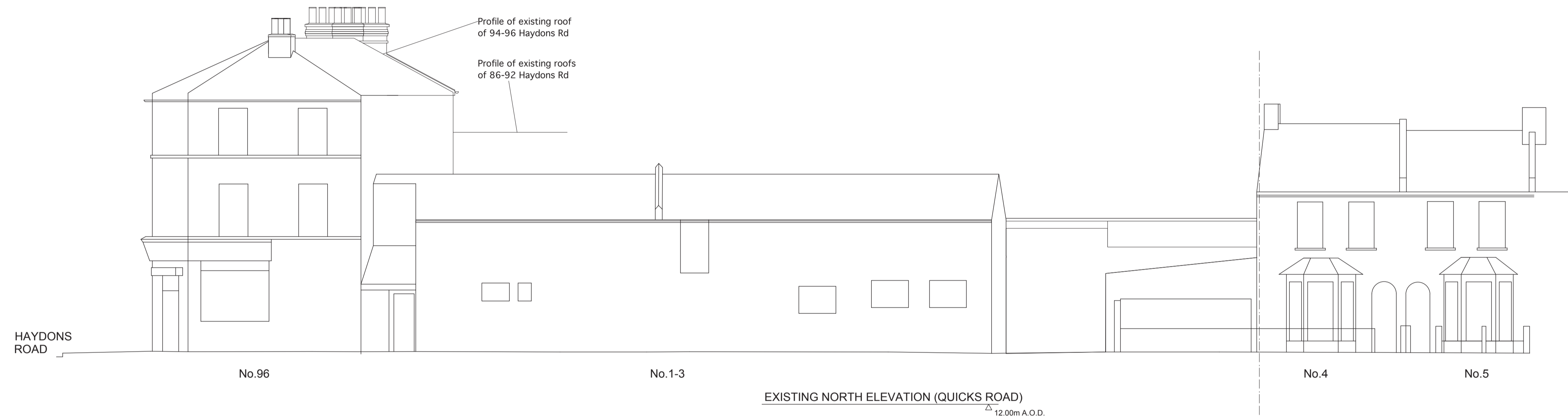
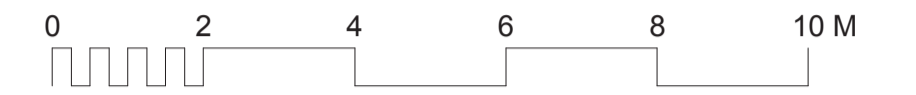
CLIENT
 Haydons Road Ltd.
 PROJECT
 94-96 HAYDONS ROAD
 LONDON SW19 1HJ

DRAWING TITLE
 Elevations

SCALE	DATE	REV
1/200 @A3 1/100 @A1	October 2014	B
DRAWN	DRAWING No.	884/10
CHECKED		

Materials:

- Roof: Single-ply Polymer-membrane with areas for services and PV panels.
- Walls: Part multi-stock brickwork and part reconstructed stone fibre-cement 'rainscreen' cladding and panelling with reconstituted stone cills, copings. Glazed cladding to roof level
- Windows: Powder-coated 'Velfac' double-glazed windows.
- Patio Doors: Powder-coated Al. sliding patio doors with double-glazed sealed glazing units.
- Front doors: Powder-coated Al. double-glazed doors and frames.
- Balustrading: Frameless SS on structural glazing system.
- Shop-front: To Tenant requirements.



C	May15	General amendments
B	Mar15	Redesigned
A	Oct14	Planning issue

REV	DATE	DESCRIPTION

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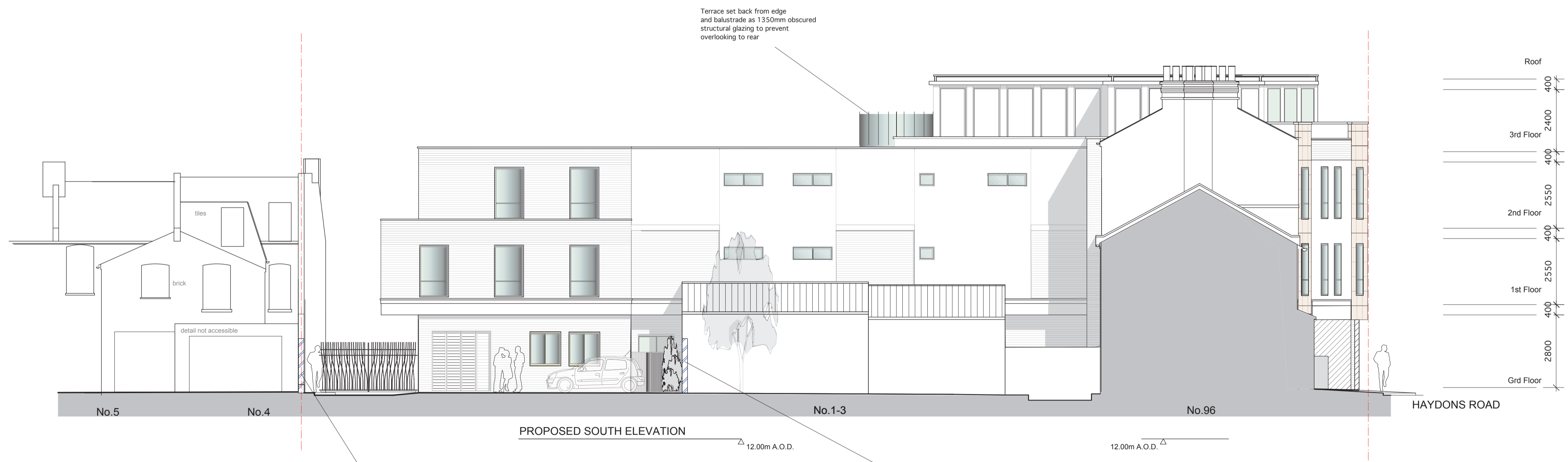
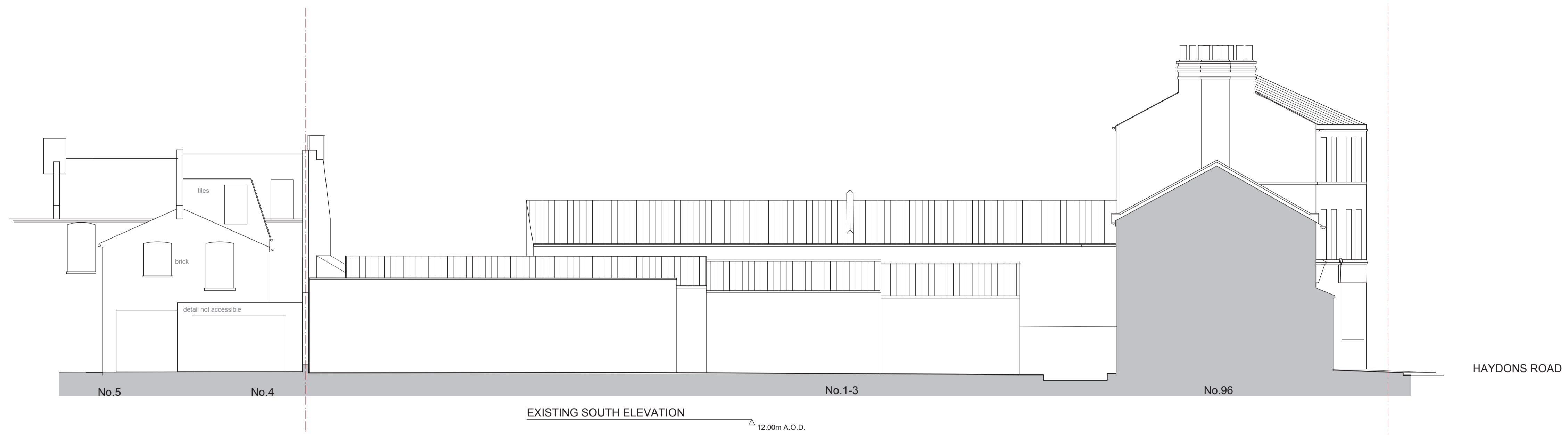


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CLIENT	Haydons Road Ltd.
PROJECT	94-96 HAYDONS ROAD LONDON SW19 1HJ

DRAWING TITLE	Elevations
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SCALE	1/200 @A3 1/100 @A1	DATE	October 2014
DRAWN		DRAWING No.	884/09
CHECKED		REV	C



B May15 General amendments
 A Oct14 Planning issue

REV	DATE

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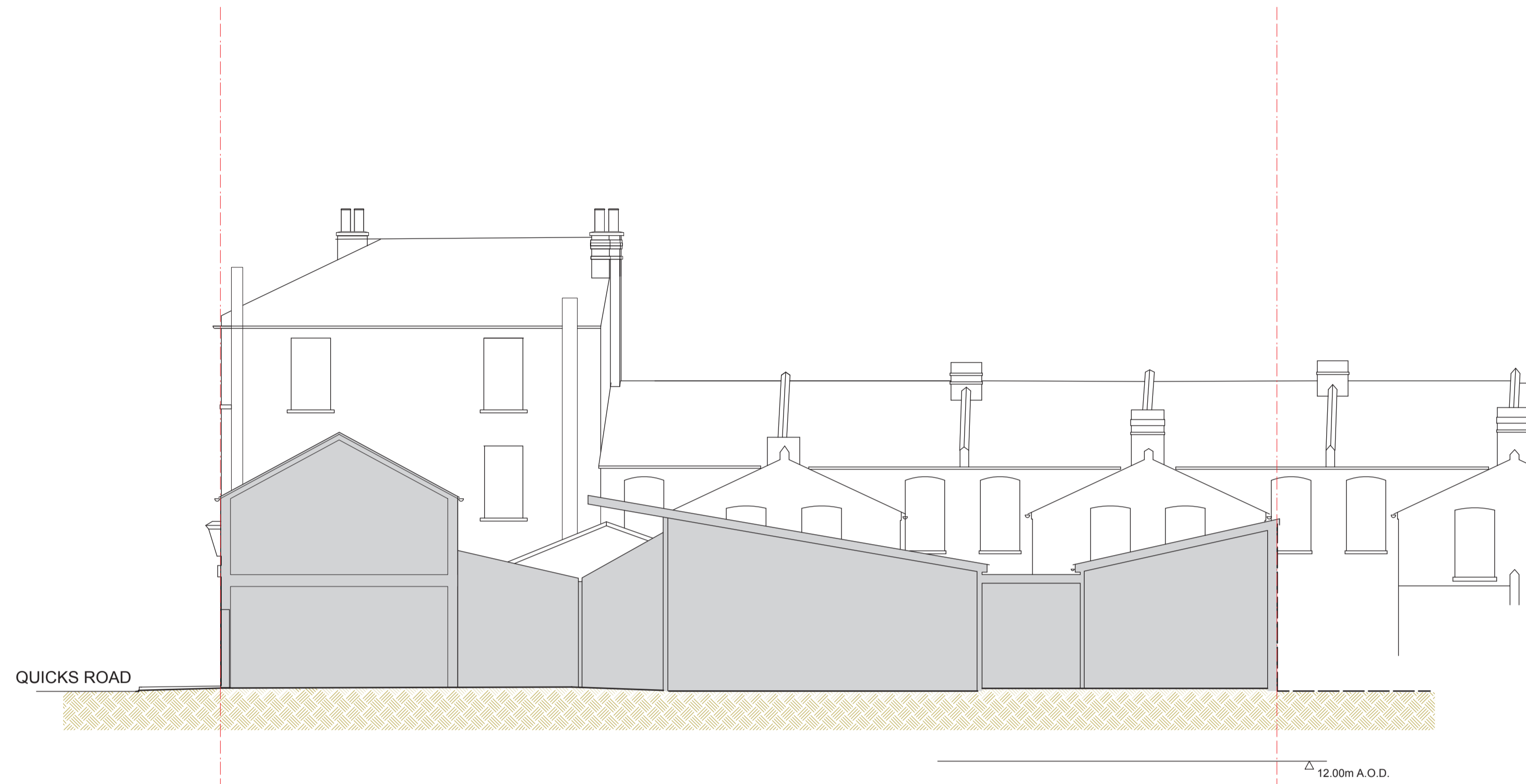
CLIENT
 Haydons Road Ltd.

PROJECT
 94-96 HAYDONS ROAD
 LONDON SW19 1HJ

DRAWING TITLE
 Rear Elevations

SCALE	DATE
1/200 @A3 1/100 @A1	October 2014
DRAWN	DRAWING No.
CHECKED	REV

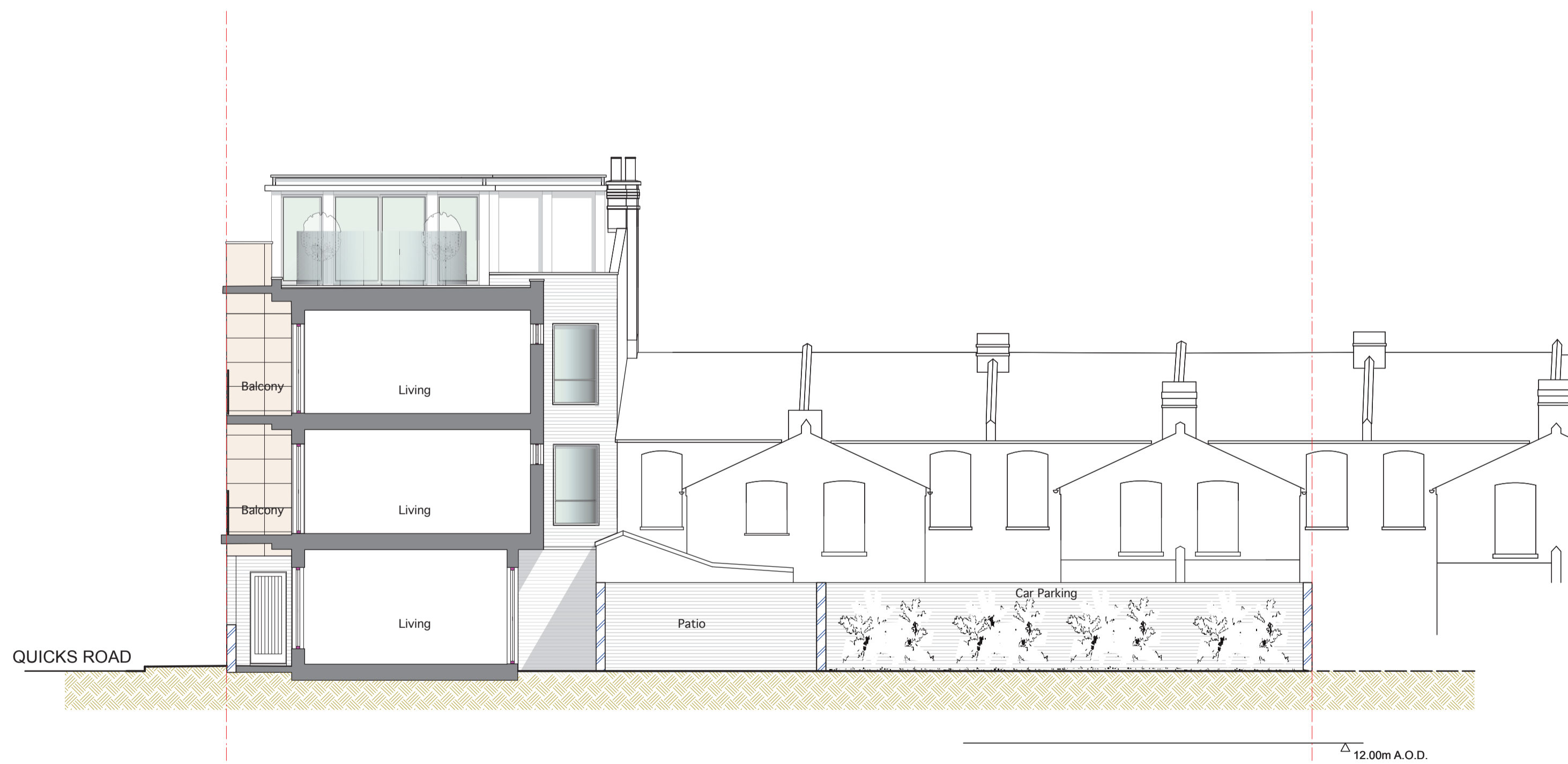
884/11 B



Existing Section A-A

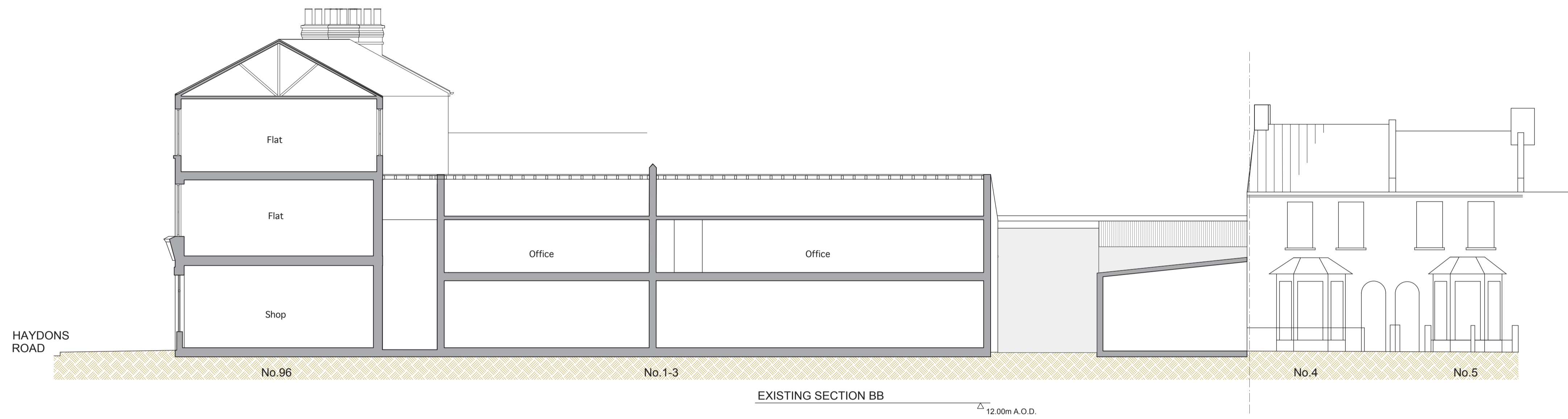
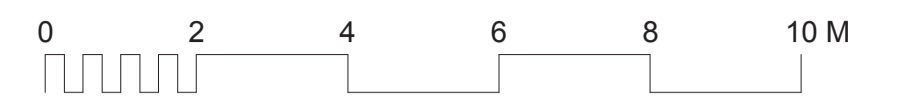


- Roof
- 3rd Floor
- 2nd Floor
- 1st Floor
- Grd Floor



Proposed Section A-A

A	May 15	General amendments
REV	DATE	
REVISIONS		
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CLIENT	Haydons Road Ltd.	
PROJECT	94-96 HAYDONS ROAD LONDON SW19 1HJ	
DRAWING TITLE	Sections A-A	
SCALE	1/200 @A3 1/100 @A1	DATE October 2014
DRAWN	DRAWING No.	REV
CHECKED	884/14	A



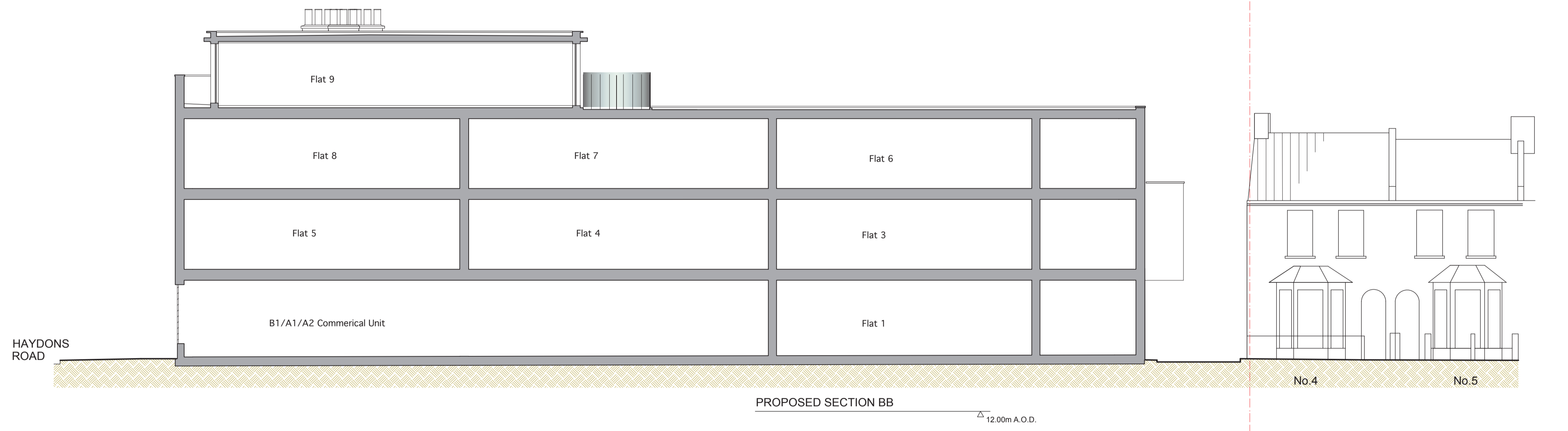
Roof

 3rd Floor

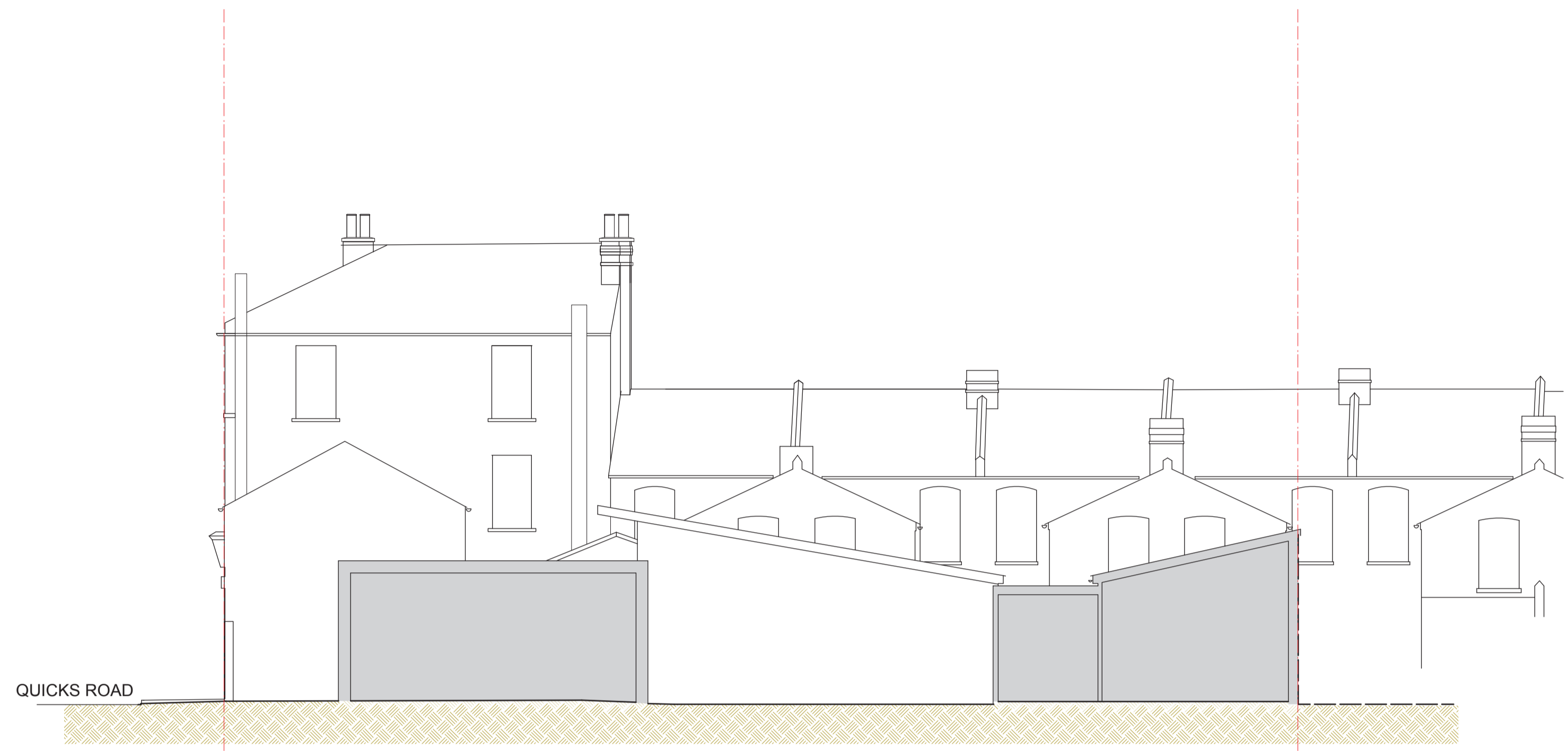
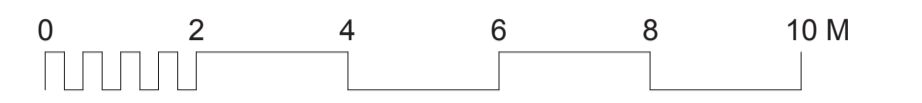
 2nd Floor

 1st Floor

 Grd Floor



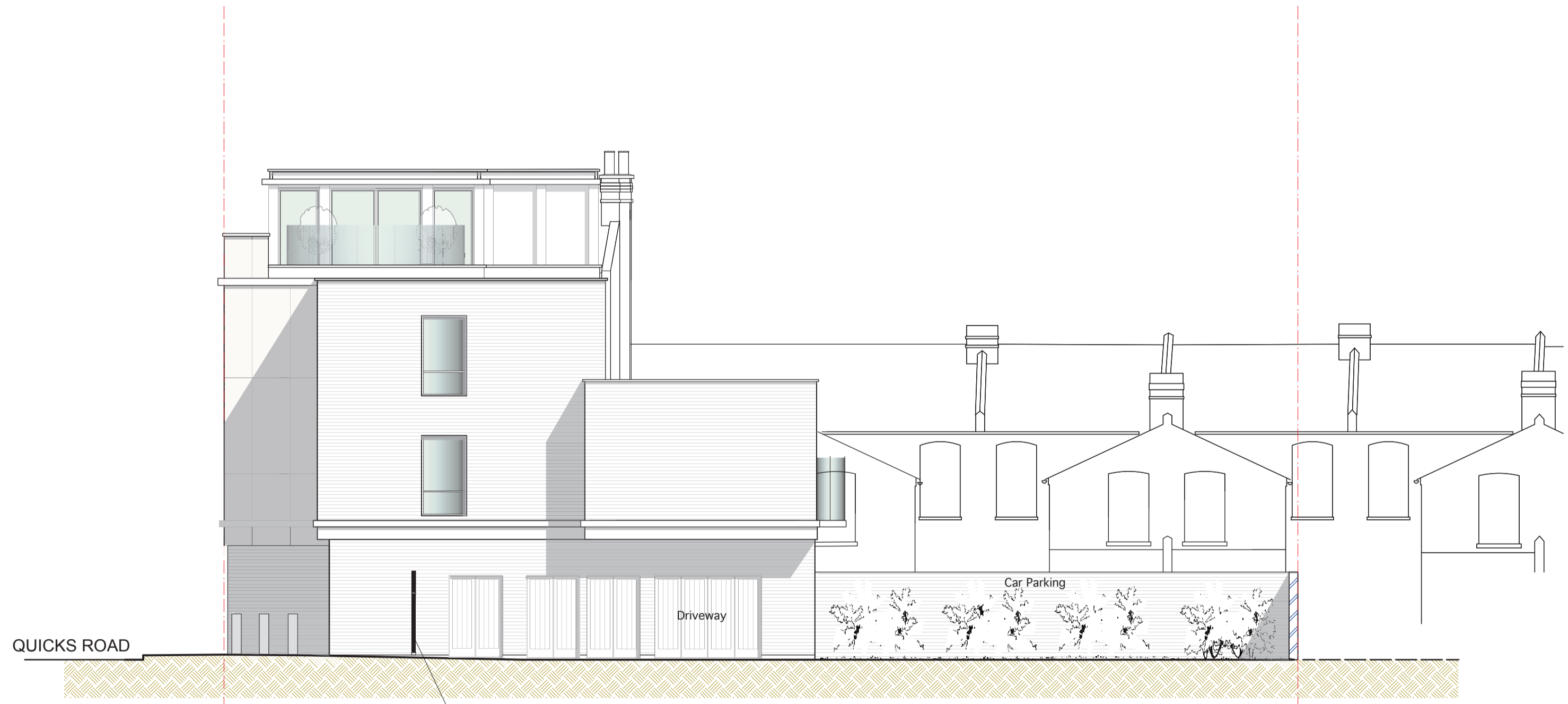
REV	DATE	REVISIONS
A	Oct14	Planning issue
<small>DRAWINGS NOT TO BE SCALED, FIGURED DIMENSIONS ONLY DRAWINGS NOT TO BE USED FOR LAND TRANSFER PURPOSES DRAWINGS TO BE READ IN CONJUNCTION WITH RELEVANT DRAWINGS AND SPECIFICATIONS</small>		
<small>+44 (0)1223 894778</small>		
CLIENT	Haydons Road Ltd.	
PROJECT	94-96 HAYDONS ROAD LONDON SW19 1HJ	
DRAWING TITLE	Sections B-B	
SCALE	1/200 @A3 1/100 @A1	DATE October 2014
DRAWN	DRAWING No.	REV
CHECKED	884/13	B



Existing Section C-C

△ 12.00m A.O.D.

- Roof
- 3rd Floor
- 2nd Floor
- 1st Floor
- Grd Floor



Proposed Section C-C

2200mm high powder-coated mild-steel gates

△ 12.00m A.O.D.

REV	DATE	General amendments
A	May15	
REVISIONS		
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CLIENT	Haydons Road Ltd.	
PROJECT	94-96 HAYDONS ROAD LONDON SW19 1HJ	
DRAWING TITLE	Sections C-C	
SCALE	1/200 @A3 1/100 @A1	DATE November 2014
DRAWN	DRAWING No.	REV
CHECKED	884/19	A



Perspective from Haydons Road



Aerial View looking South-West



Perspective of Entrance to Flats



Perspective from Park



Aerial View looking South-East

B	May15	Planning issue
A	Oct14	Planning issue

REV	DATE	
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REVISIONS

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CLIENT

Haydons Road Ltd.

PROJECT

94-96 HAYDONS ROAD
LONDON SW19 1HJ

DRAWING TITLE

Block Perspectives

SCALE	NTS	DATE	October 2014
DRAWN		DRAWING No.	884/12
CHECKED		REV	B

PLANNING APPLICATIONS COMMITTEE

16 July 2015

	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	15/P0211	15/01/2015
Address:	2-6 High Street Colliers Wood, London SW19 2AG	
Ward	Colliers Wood	
Proposal	Demolition of the existing buildings (including 802 square metres of B8 and B2 floor space) and erection of a mixed use development of three, four and six storey buildings comprising 34 flats (14 one bedroom, 18 two bedroom and 2 three bedroom), 388 square metres of office floor space (Use Class B1a), 11 car parking spaces accessed from Waterfall Cottages, cycle parking, refuse storage and alterations to the rear access road.	
Drawing No's	6336-2P03D; 2P04B; 2P05B; 2P06B; 2P07B; 2P08B; 2P09B; 2P10B; 2P11B; 2P12B; Design and Access Statement; Planning Statement; Supplementary statements received on the 16.04.2015 and 01/06/2015; Desk Study Report (Ground Contamination); Daylight, Sunlight and Overshadowing Report; Environmental Noise and Vibration Assessment; Energy Statement, Transport Statement; Code for Sustainable Homes Assessment; Archaeological Desk Based Assessment; Flood Risk Assessment; Compensatory Flood Storage Statement.	
Contact Officer	Tony Ryan (020 8545 3114)	

RECOMMENDATION GRANT PLANNING PERMISSION subject to planning conditions and a S106 legal agreement.

CHECKLIST INFORMATION.

- S106: affordable housing and restriction on parking permits.
 - Is an Environmental Statement required: No
 - Conservation Area – No
 - Archaeological Priority Zone – Yes
 - Area at Risk from Flooding – Yes (two thirds of the site is in Zone 2 with areas along the north east boundary in Zone 3).
 - Trees – Trees are present but are not the subject of tree preservation orders.
 - Controlled Parking Zone – Yes (Zone CW)
 - Development Plan designation – None (now outside Colliers Wood Urban Centre).
 - Design Review Panel consulted – No
 - Site notice – Yes
 - Press notice – Yes
 - Number of neighbours consulted – 131
 - External consultations – Network Rail, Historic England, Environment Agency, Transport for London and the Police Crime Prevention Design Advisor.
 - PTAL: level 5 (TFL Planning Information Database)
 - Density – 89 habitable rooms, area of 0.24h - 370 habitable rooms per hectare.
-

1. INTRODUCTION

- 1.1 This application is brought before Committee for Members' consideration as it is a significant site in a prominent location and as a result of the public interest in the proposal.

2. SITE AND SURROUNDINGS

- 2.1 The application site (2461 square metres /0.24 hectares) is located at the northern end of High Street Colliers Wood (A24). The designation of the site as within the Colliers Wood 'Urban Centre' in the Unitary Development Plan was removed with the adoption of an amended smaller 'Urban Centre' boundary in the adopted Sites and Policies Plan (July 2014).
- 2.2 The high street typically consists of commercial uses at ground floor level with residential accommodation on the upper floors in buildings of between 2 and 5 storeys in height along this transport corridor. A railway line providing services between Haydons Road and Tooting railway stations is located adjacent to the north east (side) boundary of the application site, with this railway line also marking the boundary with the London Borough of Wandsworth.
- 2.3 The south west site (side) boundary is shared with a concrete drilling business (Use Class B2) fronting Waterfall Cottages and a residential building at 8 High Street. The residential building at 8 High Street is set back 7 metres from the back edge of the pavement in the high street with the provision of an off street car parking area. This building provides 4 flats located on three floors and a basement.
- 2.4 The nearby building at 10 to 12 High Street Colliers Wood provides residential accommodation over three floors and within the building roof space. This building is also set back by 7 metres from the front boundary behind an off street car parking area. The land to the rear of 10 to 12 Collier Wood High Street provides industrial floor space with access from Waterfall Cottages.
- 2.5 The building at 14 Colliers Wood High Street is set back by 2 metres from the front boundary. This building provides retail floor space at lower ground and upper ground floor level with residential accommodation on the upper floors and a linked warehouse building at the rear. On the opposite side of High Street Colliers Wood is the River Graveney that runs within an enclosed area of land that includes a number of mature trees.
- 2.6 The application site consists of land at no's 2, 4 and 6 High Street Colliers Wood which is currently divided into the two separate plots known as 2 and 4-6 High Street. The land at 2 High Street Colliers Wood (1273 square metres) is a vacant scaffolding yard (Storage and Distribution - planning use class B8) immediately adjacent to the railway line. The applicant has stated that the land at 2 High Street includes offices and storage covering 95 square metres and that the land was in use as a scaffolding yard up until May 2011. An area of unregistered land outside the application site boundary separates the front boundary of 2 High Street from the pavement in the high street.

- 2.7 The land at 2 High Street Colliers Wood is screened from the high street behind two externally illuminated 48 sheet advertisement hoardings and includes a sharp drop in ground level from the pavement. The vehicle and pedestrian access to the site is only from the rear in Waterfall Cottages. Two storey terraced residential properties in Acre Road are located adjacent to the rear site boundary and part of the side boundary is shared with the rear gardens of the adjoining two storey residential properties at 11 to 17 Waterfall Cottages.
- 2.8 The whole of the site at 6 High Street and the front section of 4 High Street (1188 square metres) is currently occupied by a business that manufactures and mixes paint for the screen printing industry (General industrial use - planning use class B2). The open land to the rear of 4 High Street (fronting Waterfall Cottages) is not included within the current application site boundary. The Council are the freeholder of this land which is used for car parking by a leaseholder. The land at 4 High Street is screened from the high street by an externally illuminated 48 sheet advertisement hoarding. The corrugated metal building on the site is set back by 10 metres from the front boundary and similar to 2 High Street there is a sharp drop in ground level from the pavement ground level in the high street.
- 2.9 The land at the front of 6 High Street is currently occupied by a brick commercial building. This building has a painted brick front façade that is level with the pavement in the high street and set back 2 metres from the front boundary. The land also includes a warehouse building. The vehicle access to 4 and 6 High Street is provided from the rear in Waterfall Cottages, and whilst it appears currently unused, pedestrian access is available to 6 High Street from the front elevation.
- 2.10 The front of the application site has a Public Transport Accessibility Level rating of 5 and the rear part of the site a rating of 3 (On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility). Colliers Wood High Street forms part of the Transport for London Road Network (Red Route) with double red line parking restrictions along the site frontage. The cycle superhighway route CS7 runs past the front of the application site. The vehicle access to the site is along Waterfall Cottages which is located in a Controlled Parking Zone with on street marked bays available for permit holders or for 'pay and display' between 8.30am and 6.30pm. The application site is within the designated safeguarding area for Crossrail 2.
- 2.11 The majority of the application site is in flood risk zone 2 [between a 1 in 100 and 1 in 1000 probability of flooding from rivers in any one year] with areas along the north east boundary in flood risk zone 3 [where there is a 1 in 100 year or greater of flooding from rivers in any one year]. The site is also located in an archaeological priority area.

Table 1: Standard of the proposed accommodation

Flat number / Architect annotation	Floor	Internal layout (Sq. M)					Amenity space (Sq. M)			
		Bedrooms	Bed spaces	Habitable rooms	Gross Internal Area	London Plan Standard	Garden	Balcony	Shared	Sites and Policies Plan standard
1.	Ground	1	2	2	51	50	46	-	6	6
2.	Ground	2	3	3	91	61	69	-	6	5
3.	Ground	2	3	3	86	61	94	-	7	5
4.	Ground	2	3	3	84	61	30	-	10	5
5.	Ground	3	5	4	93	86	107	-	7	5
6.	Ground	3	5	4	92	86	119	-	5	6
7.	Ground	3	5	4	91	86	119	-	8	7
8.	Ground	3	5	4	97	86	98	-	9	5
9.BG07	Upper Ground	2	3	3	67	61	-	6		6
10.BG08	Upper Ground	1	2	2	53	50	-	6		5
11.CG03	Upper Ground	2	3	2	61	61	-	7		6
12.CG04	Upper Ground	3	5	4	89	86	-	10		8
13.AF01	First	2	3	3	64	61	-	7		6
14.AF02	First	1	2	2	51	50	-	5		5
15.AF03	First	2	4	3	73	70	-	8		7
16.BF09	First	2	4	3	74	61	-	9		7
17.BF10	First	1	2	2	51	61	-	8		5
18.BF11	First	2	3	3	67	61	-	6		6
19.BF12	First	1	2	2	53	50	-	6		5
20.CF05	First	2	3	3	61	61	-	7		6
21.CF06	First	3	5	4	89	86	-	10		8
22.AS04	Second	2	3	3	64	61	-	7		6
23.AS05	Second	1	2	2	51	50	-	5		5
24.AS06	Second	2	4	3	73	61	-	8		7
25.BS13	Second	2	4	3	74	61	-	9		7
26.BS14	Second	1	2	2	51	50	-	8		5
27.BS15	Second	2	3	3	67	61	-	6		6
28.BS16	Second	1	2	2	52	50	-	5		5
29.BS17	Second	1	2	2	51	50	-	5		5
30.BT18	Third	2	4	3	74	61	-	9		7
31.BT19	Third	1	2	2	51	50	-	8		5
32.BT20	Third	2	3	3	67	61	-	6		6
33.BF21	Fourth	2	3	3	65	61	-	10		6
34.BF22	Fourth	2	3	3	66	61	-	28		6

3 CURRENT PROPOSAL

- 3.1 The current proposal involves the demolition of the existing buildings and structures on the application site. The planning application form states that existing buildings currently provide 1,020 square metres of employment floor space. The proposal includes construction of three, four and six storey buildings laid out in three new blocks annotated on the submitted plans as blocks A, B and C. The development will provide 34 flats [14 one bedroom, 12 two bedroom, 6 two bedroom and 2 three bedroom] and 388 square metres of office floor space [Use Class B1a].
- 3.2 The table on the preceding page provides information on the internal sizes of the proposed residential accommodation and external amenity space with a comparison with the current minimum standards set out in the Development Plan.
- 3.3 Block A fronting the high street is four storeys in height and provides office floor space [Use Class B1a] at lower ground and ground floor level. The office floor space is provided with pedestrian access from the high street to the upper ground floor level of the building. This pedestrian access is by a walkway to account for the drop in ground level from the pavement in the high street to the main part of the site. All servicing and delivery access to the commercial floor space is provided from the rear in Waterfall Cottages. The upper two floors of block A provide residential accommodation
- 3.4 Block B is at the northern part of the high street frontage and adjacent to the railway line. Block B is six storeys in height and has residential accommodation at lower ground floor level, upper ground floor level and on four upper floor levels. Block C is also located alongside the railway line and is four storeys in height at the front of the site behind block B and three storeys at the rear. The access to the residential accommodation in all three blocks is provided from the rear in Waterfall Cottages.
- 3.5 The development includes 11 residential car parking spaces accessed from Waterfall Cottages. The development currently provides 38 residential cycle parking spaces, 4 spaces attached to the office use and 2 visitor spaces. Refuse storage for the residential accommodation is provided within the new buildings with freestanding storage for the office accommodation.

4. PLANNING HISTORY.

- 4.1 The planning history associated with the application site is provided below. The planning history for adjacent sites is also provided below as this is considered relevant.

Application site

- 4.2 The application site planning history includes various planning applications associated with commercial operations on the site including a planning permission in May 1992 [92/P0223] involving removal of an existing corrugated steel fence and the erection of 2.4 metre high boundary brick wall.

- 4.3 In November 1989 an application for outline planning permission was refused [89/P0939] for the erection of 4 light industrial units with loading bays and car parking. With a subsequent appeal to the Secretary of State dismissed the reasons for the refusal of planning permission were as follows:

“The proposed development would result in increased traffic generation and an exacerbation of existing on street parking congestion in the locality prejudicial to general traffic conditions and the quality of the environment contrary to Policy M.18 of the Draft Revised Merton Borough Plan.

The proposed access arrangements are unsatisfactory in that they would create hazardous conditions both for pedestrians and vehicles entering and leaving the site and would be detrimental in terms of safety to neighbouring residential properties, particularly Waterfall Cottages.

The proposed development is considered to be an undesirable form of development which would result in an over intensive use of the site detrimental to the amenities enjoyed by residents in the locality by reason of increased noise disturbance and inconvenience”.

Neighbouring sites

Site at 14 High Street Colliers Wood

- 4.4 Planning permission was approved in August 1984 [MER342/84] for the erection of a new warehouse building at the rear of the premises for storage of tyres including the change of use of the existing basement from storage to office/canteen services and provision of 5 car parking spaces. In April 1985 planning permission was approved [MER62/85] for the change of use of a ground floor shop with ancillary office to a cafe.
- 4.5 Planning permission was refused on the 20 December 2012 [12/p2556] for the construction of four storey extensions [basement and three floors] to the side and rear of the existing building and the change of use of the existing residential accommodation [1 one and 1 two bedroom flats] and ground floor and basement commercial space [Use Class A1 Retail] to provide 9 one bedroom flats and 2 two bedroom flats together with the partial demolition alterations and reorientation of the freestanding commercial building at the rear of the site [Use Class B8 Storage] to provide a new entrance from the rear in Waterfall Cottages. The reasons for refusal were as follows:

“The proposed extensions, by reason of size, massing, bulk and design would fail to achieve a high standard of design that would enhance the character of the area and would be detrimental to the visual amenities of the area; the extensions would be overly dominant and visually intrusive to the detriment of the outlook of neighbouring occupiers; and result in a poor quality environment for future occupiers arising from poor outlook to habitable rooms, contrary to policies HS.1, BE.15, BE16 and BE23 of the Merton Unitary Development Plan (2003)”.

“The proposals would result in the loss of employment land, that has the potential to detract from the long term viability and attractiveness of nearby industrial and commercial uses, and be harmful to the aims of safeguarding employment opportunities in the Borough, contrary to the wider objectives of policies E.1 and E.7 of the Merton Unitary Development Plan (2003) and CS.12 of the Merton LDF Core Planning Strategy (2011)”.

“The proposed development would generate additional pressure on education facilities in the area and, in the absence of a legal agreement securing a financial contribution towards education facilities locally, the proposal would be contrary to policies C13 of the Adopted Unitary Development Plan (October 2003) and Supplementary Planning Guidance: Planning Obligations (2006)”.

“The proposed development would fail to contribute to meeting affordable housing targets and, in the absence of a legal undertaking securing a financial contribution towards the delivery of affordable housing off-site, would be contrary to policy CS.8 of the Merton LDF Core Planning Strategy (2011)”.

- 4.6 Planning permission was refused on the 27 March 2015 (15/P0432) for the demolition of the existing building providing 80 square metres of retail Use Class A1 floor space and 2 flats [1 one bedroom and 1 two bedroom] and the construction of a replacement building over five floors providing 9 flats [8 one bedroom and 1 two bedroom] with front light wells linked to the basement floor space. The reasons for refusal were as follows:

The proposed development by reason of its design, appearance, proportions, bulk and massing would represent an overbearing and visually intrusive feature when viewed from neighbouring properties and their rear gardens which would be detrimental to residential amenity contrary to policies 3.5 in the Further Alterations to the London Plan 2015 [March 2015], policy CS14 of the Adopted Core Strategy [July 2011], Policy DM D2 of the Sites and Policies Plan [July 2014] and advice in the Council's Supplementary Planning Advice on New Residential Development

The development due to the lack of external amenity space provision for the majority of the proposed flats would fail to provide an adequate standard of residential accommodation for future occupiers contrary to policies 3.5 in the Further Alterations to the London Plan 2015 [March 2015], policy CS14 of the Adopted Core Strategy [July 2011] and Policy DM D2 of the Sites and Policies Plan [July 2014].

- 10-12 High Street and land to the rear known as Unit 4 Waterfall Cottages.
4.7 Planning permission was refused on the 3 October 2011 [11/p1919] and again on the 2 March 2012 [11/P3314] for the demolition of existing storage units/warehouse at the rear of 10 - 12 high street and the erection of 4 three

bedroom houses. The reasons for refusal of planning permission were as follows:

The proposals would fail to provide future occupiers with a satisfactory environment by reason of inadequate garden space, where the area is identified as being deficient in open park provision in the UDP, proximity to existing residential buildings resulting in overlooking, where the height and position of neighbouring commercial buildings would create an undesirable sense of enclosure, and with the potential for noise nuisance from the comings and goings and activity associated with neighbouring commercial uses. The proposals would be contrary to policies HS.1 and BE.15 of the Adopted Unitary Development Plan 2003.

The proposals would result in the loss of employment land, for which the applicant has failed to demonstrate that there is no demand, or that it is unsuitable or financially unviable for any employment or community use, to the detriment of safeguarding employment opportunities in the Borough, and would be contrary to policy E.6 of the Adopted Unitary Development Plan (2003) and the wider objectives of policy 4.4 of the London Plan (2011).

- 4.8 Planning permission was refused on the 2 March 2012 [11/P3314] for the demolition of existing storage units/warehouse at the rear of 10 - 12 High Street and the erection of 4 three bedroom houses. An appeal made against the Council's refusal of planning permission was dismissed in January 2013. The Council's reasons for refusal of planning permission were as follows:

The proposals would fail to provide future and existing occupiers with a satisfactory living environment by reason of proximity to existing residential buildings resulting in overlooking and a lack of privacy, would suffer from a sense of enclosure by reason of the proximity, height and position of neighbouring commercial buildings, and would have the potential to suffer from noise nuisance and disturbance from the comings and goings of vehicles and activity associated with neighbouring industrial uses. The proposals would be contrary to policies HS.1 and BE.15 of the Adopted Unitary Development Plan 2003.

The proposals would result in the loss of employment land and introduce a noise sensitive uses in close proximity to non-residential employment generating uses, with the potential to generate noise, thereby detracting from the long term viability and attractiveness of such sites for industrial and commercial uses, harmful to the aims of safeguarding employment opportunities in the Borough, and contrary to the wider objectives of policies E.1 and E.7 of the Merton Unitary Development Plan (2003) and CS.12 of the Merton LDF Core Planning Strategy (2011).

- 4.9 Planning permission was approved at 10 - 12 High Street Collier's Wood on the 29 November 2001 [reference 01/P2167] for the conversion of the existing building to provide 2 class B1 units and 5 self-contained flats involving the erection of a front and rear dormer and 3 storey rear extensions.
- 4.10 Planning permission was approved at 10 - 12 High Street Collier's Wood on the 13 August 2002 [reference 02/P1607] for the conversion of the existing building to provide 2 class B1 units in the basement and 7 self-contained flats on the ground, first, second and third floors involving the erection of a front and rear dormer and 3 storey rear extensions (amendments to planning permission ref: 01/p2167).

5. **CONSULTATION**

- 5.1 The submitted planning application was publicised by means of a site notice, a press notice and individual consultation letters sent to 131 local addresses.
- 5.2 As a result of this public consultation three letters (including a letter on behalf of the seven residential occupants of Edco House at 10-12 High Street) have been received objecting to the proposal. The objections to the development were made on the following grounds:

5.3 **Employment uses**

- The development would harm the operation of the adjoining industrial units that have been present for 28 years;
- The introduction of residential accommodation is likely to result in noise complaints concerning the existing industrial use;
- Insufficient consideration has been given to the loss of the existing employment uses.

5.4 **Design and scale**

- The building design is not "...uniformed with the surrounding areas and will look disproportionate".
- The design is very poor and is not of sufficient quality for this 'gateway to the borough';
- The proposed building line does not conform to the existing street frontage and appears disjointed;
- The proposal represents overdevelopment;

5.5 **Car parking and traffic**

- The development will worsen the existing local traffic congestion;
- The development will increase the existing high demand for on street car parking space;
- The neighbouring industrial use has delivery vehicles including heavy goods vehicles parked in the street and this will restrict access to the new development.
- The on-site car parking that is proposed is insufficient.

5.6 **Nuisance and amenity**

- The construction phase will cause nuisance to local residents in terms of “...a lot of obstruction and noise in the surrounding area”.
 - The building will overshadow adjoining buildings;
- 5.7 **Transport for London** as the highway authority for High Street Colliers Wood there is no objection to the proposal subject to the following:
- Future residents are excluded from applying for in street car parking permits;
 - A minimum of 54 residential cycle parking spaces are provided for the residential floor space and a minimum of 4 spaces for the office use, in an accessible, convenient and secure location;
 - The submission and approval of a Construction Logistics Plan through a planning condition;
 - The submission and approval of a Delivery and Servicing Plan through a planning condition;
 - The footway and carriageway on the A24 High Street Colliers Wood remaining clear during the construction period;
 - All vehicles only parking or stopping at permitted locations and within the time periods permitted by existing on-street restrictions;
 - No skips or construction materials shall be kept on the footway or carriageway at any time.
- 5.8 **London Underground Infrastructure Protection** The application site is located within the designated Crossrail2 safeguarding area and in these areas the Council are required to seek the views of London Underground Infrastructure Protection. There is no objection to the development on the basis that a planning condition is attached to any planning permission that requires the applicant to submit detailed design and method statements for approval in writing by the local planning authority with the development proceeding in accordance with the approved information. An informative is also recommended advising the applicant to contact London Underground.
- 5.9 **Network Rail** There is no objection to the development on the basis that the developer ensures that the proposal, both during construction and after completion of works on site, does not:
- encroach onto Network Rail land
 - affect the safety, operation or integrity of the company’s railway and its infrastructure
 - undermine its support zone
 - damage the company’s infrastructure
 - place additional load on cuttings
 - adversely affect any railway land or structure
 - over-sail or encroach upon the air-space of any Network Rail land
 - cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future
- 5.10 **Metropolitan Police Crime Prevention Design Advisor** It is recommended that Secured by Design should be incorporated as a minimum standard for security in this development. Many of the SBD principles mentioned in the

Design and Access Statement appear to have been incorporated into the scheme.

- 5.11 **Environment Agency** There is no objection to the development on the basis that planning conditions are attached to any planning permission that require the submission and approval of a surface water drainage scheme, the submission and approval of information relating to the investigation and remediation of any site contamination; no infiltration of surface water drainage into the ground; piling or any other foundation designs using penetrative methods and that the development is constructed in accordance with the submitted Flood Risk Assessment.
- 5.12 **Historic England (formerly known as English Heritage)** There are no objections to the submitted proposal in relation to archaeological considerations on the basis that any planning permission is subject to a planning condition to require further evaluation to clarify the nature and extent of surviving remains which would be followed if necessary, by a full investigation.

6 POLICY CONTEXT

London Plan 2015

- 6.1 The further alterations to the London Plan were published on the 10 March 2015. The relevant policies in the London Plan (2015) are 3.3 (Increasing housing supply); 3.4 (Optimising housing potential); 3.5 (Quality and design of housing developments); 3.6 (Children and young people's play and informal recreation facilities); 3.3 (Increasing housing supply); 3.4 (Optimising housing potential); 3.5 (Quality and design of housing developments); 3.6 (Children and young people's play and informal recreation facilities); 3.8 (Housing choice); 3.9 (Mixed and balanced communities); 3.11 (Affordable housing targets); 3.12 (Negotiating affordable housing); 4.1 (Developing London's economy); 4.2 (Offices); 4.3 (Mixed use development and offices); 4.4 (Managing industrial land and premises); 5.2 (Minimising carbon dioxide emissions); 5.3 (Sustainable design and construction); 5.7 (Renewable energy); 5.10 (Urban greening); 5.13 (Sustainable drainage); 5.15 (Water use and supplies); 6.5 (Funding Crossrail); 6.9 (Cycling); 6.10 (Walking); 6.13 (Parking); 7.1 (Building London's neighbourhoods and communities); 7.2 (An inclusive environment); 7.3 (Designing out crime); 7.4 (Local character); 7.5 (Light pollution); 7.6 (Architecture); 7.15 (Reducing noise and enhancing soundscapes); 7.19 (Biodiversity and access to nature); 8.2 (Planning obligations).

Merton Sites and Policies Plan (adopted July 2014)

- 6.2 The relevant policies within the Sites and Policies Plan are as follows: DM.D1 (Urban design and the public realm); DM.D2 (Design considerations and the public realm); DM.E1 (Employment areas in Merton); DM.E3 (Protection of scattered employment sites); DM.E4 (Local employment opportunities); DM.EP2 (Reducing and mitigating against noise); DM.EP4 (Pollutants); DM.F2 (Sustainable drainage systems (SuDS) and; Wastewater and Water Infrastructure); DM.H2 (Housing mix); DM.H3 (Support for affordable housing); DM.O2 (Nature conservation, trees, hedges and landscape

features); DM.P1 (Securing planning obligations); DM R2 (Development of town centre type uses outside town centres); DM.T1 (Support for sustainable travel and active travel); DM.T2 (Transport impacts from development); and DM.T3 (Car parking and servicing standards).

Merton Supplementary Planning Guidance

- 6.3 The key supplementary planning guidance relevant to the proposals includes New Residential Development (1999); Design (2004) and Planning Obligations (2006).

Policies within the Merton LDF Core Planning Strategy (July 2011)

- 6.4 The relevant policies within the Council's Adopted Core Strategy (July 2011) are; CS.1 (Colliers Wood); CS.8 (Housing choice); CS.9 (Housing provision); CS 12 (Economic development); CS.13 (Open space; nature conservation; leisure and culture); CS.14 (Design); CS.15 (Climate change); CS.18 (Active transport); CS.19 (Public transport); and CS.20 (Parking; servicing and delivery).

National Planning Policy Framework (March 2012)

- 6.5 The National Planning Policy Framework (NPPF) is a key part of central government reforms '*...to make the planning system less complex and more accessible, and to promote sustainable growth*'.
- 6.6 The NPPF supports the plan led system stating that development that accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework also states that the primary objective of development management should be to foster the delivery of sustainable development, and not to hinder or prevent development.
- 6.7 The NPPF states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 6.8 To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, the framework advises that local planning authorities need to approach development management decisions positively. Local planning authorities looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. The framework attaches significant weight to the benefits of economic and housing growth, the need to influence development proposals to achieve quality outcomes; and enable the delivery of sustainable development proposals.

7. PLANNING CONSIDERATIONS

- 7.1 The main planning considerations include assessing the principle of development in terms of the loss of the existing employment floor space; the introduction of residential accommodation, the design, scale, layout and appearance of the proposed buildings, the standard of the residential accommodation including potential ground contamination, the standard of the proposed commercial floor space, the impact on residential amenity including privacy daylight and sunlight and the potential impact on car parking and traffic generation.

Loss of the existing employment use

- 7.2 The application land is a 'scattered employment' site which is defined as an employment site outside a designated town centre or a designated employment area. Advice on the loss of employment uses on such sites is provided by policy DM E3 of the adopted Sites and Policies Plan. This policy aims to ensure that there is a diverse mix of size, type, tenure and location of employment facilities in the borough which can support a range of employment opportunities and the creation of balanced mixed-use neighbourhoods. Policy DM E3 lists three situations where the loss of a scattered employment site would be acceptable and these are considered below:

a) The site is located in a predominantly residential area and it can be demonstrated that its operation has had a significant adverse effect on local residential amenity;

- 7.3 It is considered that the application site is not located within a predominantly residential area and there is no evidence to suggest that the previous use (2 High Street) or the existing employment use (4-6 High Street) have had any adverse impact on amenity. With the railway line and other adjacent commercial uses, only around a quarter of the application site boundary is shared with residential/ sensitive land uses.
- 7.4 It is the Council's policy to direct storage and distribution (use class B8) or general industrial uses (use class B2) to the Council's designated industrial areas (Sites and Policies DM E1). These designated industrial areas are considered more suitable for these uses as they are highly accessible by different forms of transport; they provide space to allow for the expansion of business; they allow similar businesses to locate together and ensure that neighbouring uses are more compatible with each other.
- 7.5 Whilst the absence of neighbouring sensitive land uses could make the site more attractive for employment use, it is highlighted that the only vehicle access available to both sites is past a number of residential properties in Waterfall Road and Waterfall Cottages. It is considered that the redevelopment of the vacant site at 2 High Street for alternative employment purposes and/ or more intensive use of the currently occupied site at 4-6 High Street for employment purposes would be likely to result in future harm to residential amenity.

7.6 The application site has historically been in employment use, with the existing lawful employment use of the application site as storage and distribution (use class B8) and general industrial uses (use class B2). Whilst the existing site and buildings could lawfully be used for an alternative storage and distribution use without any need for planning permission, any new buildings for employment uses are likely to require the benefit of planning permission. As the storage and distribution and general industrial use is considered potentially damaging to residential amenity, in the event that there was a need for planning permission the Council would need to carefully consider whether new buildings to facilitate the continued or intensification of the use would be appropriate given the potential impact on amenity from these uses.

b) The size, configuration, access and other characteristics of the site makes it unsuitable and financially unviable for whole-site employment use;

7.7 The application site forms part of a larger area of land that is bordered by High Street Colliers Wood, Waterfall Road, Waterfall Cottages and the railway line. In addition to residential uses, and the scaffolding yard and screen printing supplies use, the land also includes a concrete drilling services business and carpet and furniture premises.

7.8 The application site has been vacant for some time and it is considered by officers that significant investment would be required in the land and buildings to provide storage and distribution floor space (Use Class B8) to a modern standard. As set out earlier in this report there would also be potential residential amenity issues with the continued use of the site for storage and distribution uses.

7.9 Employment uses that are within the business class (use class B1) are considered by definition appropriate in residential areas. A development of B1 floor space on the application site would as a result be likely to be acceptable in principle. Whilst the principle of a development of business floor space would be acceptable, the experience of other similar sites in the borough has been that this necessary investment is unlikely to be forthcoming. This is due to the uncertainty of attracting future commercial tenants, with the location of the site, potential issues with the vehicle access and the proximity of the site to residential accommodation.

c) It has been demonstrated to the Council's satisfaction that there is no realistic prospect of employment or community use on this site in the future. This may be demonstrated by full and proper marketing.

7.10 The applicant has stated that site at 2 High Street has been marketed for 'a commercial use for a period of 30 months.

7.11 This marketing consisted of the following:

- 600 flyers sent out by the current freeholder of the site to their customers over a five month period. The freeholder is a scaffolding supply business based in the London Borough of Bexley.
- The site details for a storage and distribution use (use class B8) at 2 High Street was posted on the South London Business partnership website in

September 2011 with the freeholder advised in June 2012 that the site details would remain on the website.

- 7.12 In terms of the responses received as a result of the marketing, the applicant has advised that there was one expression of interest from a company providing motorcycle skills training. This company decided not to pursue the interest in 2 High Street. In addition to the marketing details, the applicant has submitted a letter from an estate agent that has stated that in their opinion the application site is not suitable for 'modern day business' due to the existing condition of the buildings and the location.
- 7.13 In assessing the loss of a scattered employment site, policy DM E3 requires evidence to show that there is no realistic prospect of an employment or community use being attracted to this site in the future. The policy suggests that full and proper marketing is one way of providing this evidence.
- 7.14 Whilst there are limitations to the marketing and evidence submitted by the applicant, officers are satisfied that there is no realistic prospect of a suitable alternative employment use being attracted to the application site. The submitted proposal is considered in line with Development Plan policy policy DM E3.

Proposed alternative commercial floorspace

- 7.15 Sites and Policies Plan policy DM E1 states that the Council will support proposals for the redevelopment of vacant and underused existing employment land and floor space for employment use (B use classes).
- 7.16 In circumstances where an applicant has failed to demonstrate that an alternative employment or community use could occupy a scattered employment site that is to be lost through redevelopment, policy DM E3 states that the Council will seek measures to mitigate against this loss of employment land. The policy states that these measures 'may' include providing alternative employment floorspace as part of the redevelopment proposal.
- 7.17 Policy DM E1 states that large offices (between 280 and 1,000 square metres) will be supported in town centres or in areas with good access to public transport (PTAL 4 and above) and within close proximity to additional services for employees and workers. The submitted proposal includes 388 square metres of business floor space (Use Class B1a) provided at lower ground and upper ground floor levels within Block A.
- 7.18 The application site benefits from good access to public transport and is within walking distance of the additional services available within Colliers Wood 'Urban Centre' and is therefore considered a location where new office floor space is supported in line with policy DM E1. The application site was previously located within the Colliers Wood 'Urban Centre' prior to revisions in the Sites and Policies Plan (July 2014).

- 7.19 Core Strategy policy CS 12 states that the Council will support the development of a diverse local economic base by encouraging increased provision in the overall number and range of jobs available particularly in the business sector. Core Strategy policy CS 12 states that the Council will encourage and support the provision of employment that results in higher levels of productivity, gross values added and remuneration. The Council will also support the rationalisation of employment land where it will fulfil these policy aims.
- 7.20 Whilst the current proposal involves the loss of a large employment site (2,461 square metres), the land at 2 High Street (1,273 square metres) does not currently support any employment. The information submitted by the applicant states that the site at 2 High Street has not supported any employment since 2011. The applicant advises that the site at 4-6 High Street currently supports 6 jobs and the proposed new floorspace has the potential to support 32 jobs.
- 7.21 The current application involves the redevelopment of the existing general industrial floor space and a vacant scaffolding yard with the provision of new modern business floor space. Whilst the overall level of floor space will be reduced, it is considered that the proposed development will potentially increase the overall number of jobs that are supported on this site. In accordance with policy CS 12 it is considered that the proposal will enable higher levels of productivity, gross values added and remuneration. The proposal will allow more efficient use of the land on the application site that is located in a sustainable location with a high level of access to public transport.
- 7.22 The current proposal will remove general industrial and storage and distribution uses from the application site which is located outside a Strategic Industrial Locations and Locally Significant Industrial Sites in line with policy DM E1. The application site benefits from good access to public transport and is within walking distance of the additional services within Colliers Wood centre and is therefore considered in line with policy DM E1, to be a location where new office floor space is supported.
- Need for additional housing and residential density.**
- 7.23 The National Planning Policy Framework (March 2012) requires the Council to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition.
- 7.24 Policy 3.3 of the London Plan (March 2015) states that the Council will work with housing providers to provide a minimum of 4,107 additional homes in the borough between 2015 and 2025. Within this figure of 4,107 new homes, the policy states that a minimum of 411 new dwellings should be provided annually. This is an increase from the 320 dwellings annually that was set out in the earlier London Plan and in policy CS. 9 of the Core Strategy.
- 7.25 Core Strategy policy CS8 states that based on a need for a total of 4,800 homes between 2011 and 2026 a minimum of 500 to 600 homes will be required in this period within the Colliers Wood South Wimbledon sub area.

The Core Strategy states that that it is expected that the delivery of new residential accommodation in the borough will be achieved in various ways including development in 'sustainable brownfield locations' and "...ensuring that it is used efficiently". (Supporting text to policy CS9). The application site is on brownfield land and is in a sustainable location adjacent to other existing residential properties. The site benefits from very good access to public transport and good access to other local facilities within Colliers Wood Urban Centre without the need to use a car.

7.26 The London Plan states that in urban areas such as the application site with a Public Transport Accessibility Level of 5, residential density should be within a range of 200 to 700 habitable rooms per hectare. With the application site covering a site area of 0.2 hectares and provision of 128 habitable rooms the residential density of the development is 370 habitable rooms per hectare.

7.27 The residential density of the proposed development is in the middle of the recommended density range set out in the London Plan. With the consideration of other matters such as design, bulk, scale and layout, the standard of accommodation and the impact on amenity this residential density is considered acceptable. The proposed development in this sustainable location will also assist in addressing the need for new residential accommodation in the borough that is identified in the London Plan and the Core Strategy.

Housing mix

7.28 Policy CS. 8 within the Council's Adopted Core Strategy (July 2011) states that the Council will seek the provision of a mix of housing types sizes and tenures at a local level to meet the needs of all sectors of the community. This includes the provision of family sized and smaller housing units.

7.29 The application site is located in an area, where there is currently a mixture of housing types with terraced houses nearby to the site on Waterfall Road and Waterfall Cottages and flats on the upper floors of buildings on the opposite side of High Street Colliers Wood. The current application provides 34 residential units consisting of 14 one bedroom, 12 two bedroom, 6 two bedroom and 2 three bedroom flats.

7.30 It is considered that the proposed accommodation will increase the variety of residential accommodation available locally. It is considered that the current proposal will contribute towards the creation of a socially mixed and sustainable neighbourhood in accordance with Core Strategy policy CS8.

Building layout

7.31 The footprint of the proposed development forms an 'L' shape with a front block across the High Street frontage with a wing extending to the rear of the site on the north eastern site boundary. The building wing at the front of the site provides the commercial floor space at lower ground and ground floor levels with servicing and delivery access from the rear. Access to the residential accommodation is provided from the rear in Waterfall Cottages.

- 7.32 There is no defined building line along this section of the high street with buildings at 8 to 12 High Street set back 7 metres from the pavement and the building at 14 High Street set back by 2 metres from the pavement. It is considered that the proposed layout successfully addresses the High Street frontage with a building that is set back between 4 and 10 metres from the back edge of the pavement. It is considered that the layout of the proposed building makes efficient use of this site, whilst maximising other land that is available for amenity space. The buildings have also been positioned to reduce any potential impact on residential amenity.

Building design and materials

- 7.33 The London Plan policy 7.4 requires buildings, streets and open spaces to provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in terms of orientation, scale, proportion and mass. Policy 7.6 sets out a number of key objectives for the design of new buildings including that they should be of the highest architectural quality, they should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, and buildings should have details that complement, but not necessarily replicate the local architectural character.
- 7.34 The existing buildings on the application site are of poor quality and are considered to detract from the appearance of the local area. As a result and subject to the design and appearance of a replacement building it is considered that the loss of the existing buildings will enhance the character of the local area.
- 7.35 In terms of references for the design and appearance of a replacement building, there is some variety in building design present in the local area. The design of the front elevation of the proposed building fronting High Street Colliers Wood is considered appropriate in this location and would provide a rhythm that reflects that of nearby buildings.
- 7.36 The submitted design and access statement lists and application form list the proposed facing materials for the new building. The proposed facing materials include a London Stock buff brick, with a grey Fiber cement cladding with aluminium windows and doors. The proposed materials are considered in keeping with the surrounding area whilst also reflecting the contemporary design of this development.
- 7.37 It is considered that the design and appearance of the proposed building respects and enhances the character of the surrounding area and the development is in keeping with the surrounding area.

Building scale and massing

- 7.38 The application site is located at the end of High Street Colliers Wood with the railway line immediately to the north east. The predominant height of development along the High Street is buildings of two and three storeys with pitched roofs, however the nearby development at the corner of the High

Street with Robinson Road is five storeys high (3 High Street Colliers Wood providing 33 flats).

- 7.39 Whilst the drop in ground level from the pavement to the application site of over one building storey is highlighted, in views from the High Street the proposed development will be seen as a three storey flat roofed building to the southern half of the site frontage. This three storey building is a metre higher than the roof ridge of the adjacent residential building at 8 High Street. The proposed building on the northern half of the site frontage steps up to 5 storeys in height when viewed from the street. In views from the rear, the buildings at the front of the site will be four storeys and six storeys in height. The buildings alongside the railway line will step down to four storeys then three storeys in height.
- 7.40 It is considered that the proposed building makes reference to the height of this adjacent three storey building and makes efficient use of the land on this site which is in a sustainable location and immediately adjacent to the railway line. It is considered that the proposed building will be in keeping with the scale and massing of the proposed building on the adjacent site and the area generally.

Neighbour amenity

- 7.41 Policy DM D2 states that proposals for development will be expected to ensure appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy to adjoining gardens.
- 7.42 The closest residential accommodation to the application site is located at 8 High Street with other nearby residential accommodation at 17 Waterfall Cottages, 82-86 Acre Road and Douglas Court on the opposite side of the railway line.

8 High Street

- 7.43 The residential building at 8 High Street immediately adjoins the existing commercial building on the application site (6 High Street). The building at 8 High Street is three storeys high with a pitched roof, with the front elevation of this building set back by 7 metres behind the front elevation of the existing commercial building at 6 High Street which is single storey with a pitched roof.
- 7.44 The proposed building in this location will be three storeys high and separated from the side elevation of 8 High Street by a distance of 1.5 metres. The main elevation of the proposed building will protrude 4.5 metres forward of the front elevation of 8 High Street at ground floor level with balconies at first and second floor level extending further forward. Whilst the commercial building at 6 High Street currently extends along the entire length of the rear amenity space to 8 High Street, this building will be removed as part of the proposed development.
- 7.45 It is considered that due to the orientation of the proposed building to the north of the existing adjacent residential building, the existing building layout and the separation distance between the buildings the proposed development

is acceptable in terms of 8 High Street and matters relating to daylight, sunlight, visual intrusion, privacy and overlooking.

17 Waterfall Cottages

- 7.46 The blank side elevation of the two storey property at 17 Waterfall Cottages faces towards the application site. At the closest point, a distance of 22 metres will separate the rear elevation of 17 Waterfall Cottages from the closest proposed three storey building.
- 7.47 It is considered that due to the orientation of this adjacent property and the separation distance between the buildings the proposed development is acceptable in terms of at 17 Waterfall Cottages and matters relating to daylight, sunlight, visual intrusion, privacy and overlooking.

82-86 Acre Road

- 7.48 The properties at 82 to 86 Acre Road are located in two terraced buildings to the west (rear) of the application site. At the closest point, a distance of 43 metres will separate the rear elevation of 86 Acre Road from the rear elevation of the closest proposed three storey building.
- 7.49 It is considered that due to this the separation distance between the buildings the proposed development is acceptable in terms of 82 to 86 Acre Road and matters relating to daylight, sunlight, visual intrusion, privacy and overlooking.

Douglas Court Kenlor Road

- 7.50 Douglas Court is a two storey residential terrace on the opposite side of the adjacent railway line. At the closest point, a distance of 30 metres across the railway line will separate the rear elevation of Douglas Court from the side elevation of the proposed building.
- 7.51 It is considered that due to this the separation distance between the buildings the proposed development is acceptable in terms of Douglas Court and matters relating to daylight, sunlight, visual intrusion, privacy and overlooking.
- 7.52 In support of the application the applicant has also conducted a detailed daylight and sunlight assessment following the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: a guide to good practice'. The submitted proposal was found to pass this detailed assessment in relation to the potential impact on neighbouring properties.

Standard of residential accommodation - internal layout and room sizes

- 7.53 Policy DM D2 states that proposals for development will be expected to ensure appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy to adjoining gardens. Policies CS8, CS9 and CS14 within the Council's Adopted Core Strategy (2011) states that the Council will require proposals for new homes to be well designed.
- 7.54 Policy 3.5 of the London Plan (July 2015) states that housing developments should be of the highest quality internally and externally. The London Plan

states that boroughs should ensure that new development reflects the minimum internal space standards as set out as gross internal areas in table 3.3 of the London Plan.

- 7.55 The table provided in section 3 of this current report sets out the gross internal areas for the proposed residential accommodation. The tables show that the proposed accommodation provides good levels of internal floor space that complies with the London Plan standards. The internal layout of the accommodation is considered to make good and efficient use of the space that is available with an appropriate internal layout and good provision of natural light to all habitable rooms.

Standard of residential accommodation - external amenity space

- 7.56 Sites and Policies Plan policy DM D2 states that developments will be expected to ensure appropriate provision of outdoor amenity space which accords appropriate minimum standards and is compatible with the character of the surrounding area. The standard within the Sites and Policies Plan states that in accordance with the London Housing Design Guide, there should be 5 square metres of external space provided for one and two person flats with an extra square metre provided for each additional bed space.

- 7.57 The proposed flats are each provided with private rear garden space with this amenity space provided as either garden space at ground floor level or balconies on the upper floor levels. The proposed flats would also have a communal amenity space. In conclusion it is considered by officers that the proposed residential accommodation is of a good general standard and makes efficient use of the land available on the site.

Standard of residential accommodation - lifetime Homes standards.

- 7.58 Policies in the London Plan and Core Strategy require all new residential properties to be built to Lifetime Home Standards. As part of the planning application the applicant has confirmed that the development aims to meet Lifetime Home Standards.

- 7.59 A planning condition is recommended to ensure prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to confirm the new dwelling units meet Lifetime Homes Standards based on the relevant criteria.

Car parking

- 7.60 The application site has a public transport accessibility level (PTAL) of 5 (On a scale of 1a, 1b, and 2 to 6a, 6b where zone 6b has the greatest accessibility). This PTAL level indicates that the site has a good level of access to public transport services, it is highlighted that the site is within a reasonable walking distance of Colliers Wood underground station and various buses servicing Colliers Wood Urban Centre. The application site benefits from access to the day-to-day facilities in Colliers Wood Urban Centre including shops, places of employment and recreational uses. The site is located within a controlled parking zone (Zone CW) that operates 0830hrs to 1830hrs Monday to Friday. There are ten marked on street parking bays located at the rear of the site in

Waterfall Cottages that controlled by permits when the controlled parking zone is in operation.

- 7.61 Policy 6.13 of the London Plan states that the Mayor wishes to see an appropriate balance between promoting new development and preventing excessive car parking that can undermine cycling walking and public transport use. Policy CS20 of the Core Strategy (July 2011) states car parking should be provided in accordance with current 'maximum' car parking standards, whilst assessing the impact of any additional on street parking on vehicle movements and road safety. Car parking standards are set out within the London Plan at table 6.2 and require a 'maximum' of one of street space for dwellings with one or two bedrooms and a 'maximum' of 1.5 spaces for three bedroom dwellings.
- 7.62 The development includes the provision of 11 off street car parking spaces, including three disabled bays and this provision is considered in line with the maximum standards set out in the London Plan. In order to reduce carbon dioxide emissions and promote sustainable transport choices the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan states that new car parking provision should include facilities to charge electric vehicles [a requirement of 20% of total spaces]. A planning condition is recommended to ensure that these facilities are provided. The application site is located within a controlled parking zone and a planning obligation is recommended that will prevent future occupants of the proposed accommodation from obtaining on street parking permits.

Trip generation and vehicle access

- 7.63 Policy CS20 of the Core Strategy (July 2011) states that the Council will seek to implement effective traffic management by requiring developers to demonstrate that their development will not adversely affect safety and traffic management; and to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway. The policy also requires developers to incorporate safe access to, and from the public highway.
- 7.64 The applicant has submitted a transport statement in support of the current planning application. This statement has been considered and it was found that the trip generation from the proposed development can be easily and safely accommodated on the existing road network.
- 7.65 In order to ensure that traffic and vehicles associated with the construction phase do not impact upon the public highway a planning condition is recommended seeking the submission of a Construction Logistics Plan.
- 7.66 The submitted plans show facilities for servicing and deliveries to both the commercial and residential uses to the rear of the site accessed from Waterfall Cottages. These arrangements are considered acceptable in principle however a planning condition is recommended to seek further detailed drawings to ensure a suitable design and layout for pedestrians and vehicles including provision of a shared surface. A further planning condition

is recommended to seek the submission and approval of a Delivery and Servicing Plan.

Refuse storage and collection.

- 7.67 Policy CS20 of the Core Strategy (July 2011) states that the Council will require developers to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway.
- 7.68 The submitted application drawings show refuse and recycling storage areas for the new flats and an area for the commercial floorspace. These storage locations are considered acceptable in principle and a planning condition is recommended to seek further details of this storage and to ensure that these facilities are provided and retained for the benefit of future occupiers.

Cycling

- 7.69 Policy CS 18 of the adopted Core Strategy (July 2011) states that the Council will promote active transport by prioritising the safety of pedestrian, cycle and other active transport modes; by supporting schemes and infrastructure that will reduce conflict between pedestrians, cyclists and other transport modes; and encouraging design that provides, attractive, safe, covered cycle storage, cycle parking and other facilities.
- 7.70 The submitted application drawings show cycle storage areas for the new flats and an area for the commercial floorspace. These storage locations are considered acceptable in principle and a planning condition is recommended to seek further details of this storage, to ensure suitable provision (54 residential spaces and 4 commercial), to ensure that the storage is subdivided into smaller storage areas for security purposes and to ensure that these facilities are provided and retained for the benefit of future occupiers.

Crossrail 2 safeguarding area

- 7.71 Crossrail 2 is a significant new rail line planned to run underground across London between Wimbledon and New Southgate. Safeguarding is a statutory process that sets out the boundaries of the land within which the new infrastructure could be built. The safeguarded area includes both the possible route of the tunnels as well as land at ground level that may be used for the construction of the tunnels, stations and ventilation and emergency access shafts.
- 7.72 The application site is within the safeguarding area and consultation has taken place with Transport for London. Transport for London have confirmed that they have no objection in principle to the planning application subject to the inclusion of a planning condition that requires the submission of detailed design and method statements for all of the foundations, basement and ground floor structures.

Potential ground contamination.

- 7.73 The London Plan (Policy 5.21) indicates that the Mayor supports bringing contaminated land into beneficial use. Sites and Policies Plan policy Sites and

Policies Plan policy DM EP4 states that developments should seek to minimise pollutants and to reduce concentrations to levels that have minimal adverse effects on human or environment health.

- 7.74 A desktop assessment submitted with the planning application concluded that the site level of risk of contaminated would not impact upon the site value and the site would not meet the designated contaminated land definition. Planning conditions are recommended that seek further site investigation work and if contamination is found as a result of this investigation, the submission of details of measures to deal with this contamination.

Sustainable design and construction.

- 7.75 The Council's Core Strategy reinforces the wider sustainability objectives of the London Plan with policy CS15 requiring all development to demonstrate how the development makes effective use of resources and materials and minimises water use and CO2 emissions. With the commercial floor space less than 500 square metres in accordance with Core Strategy policy CS15 there is no sustainability standard applicable to the proposed commercial floor space.
- 7.76 On 25 March 2015 the Government issued a statement setting out steps it is taking to streamline the planning system. The changes in respect of sustainable design and construction, energy efficiency and forthcoming changes to the Building Regulations are relevant to the current application. The Deregulation Act was given Royal Assent on 26 March 2015. Amongst its provisions is the withdrawal of the Code for Sustainable Homes.
- 7.77 Until amendments to the Building Regulations come into effect the government expects local planning authorities not to set conditions with requirements above a Code level 4 equivalent. Where there is an existing plan policy which references the Code for Sustainable Homes, the Government has also stated that authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard.
- 7.78 In light of the government's statement and changes to the national planning framework it is recommended that conditions are not attached requiring full compliance with Code Level 4 but are attached so as to ensure the dwelling is designed and constructed to achieve CO2 reduction standards and water consumptions standards equivalent to Code for Sustainable Homes level 4.

Archaeology

- 7.79 The application site is in an Archaeological Priority Zone and the current application is supported by an Archaeological Desk Based Assessment commissioned by the applicant. Historic England (formerly known as English Heritage) have not raised objections to the proposal on the basis that any planning permission is subject to a planning condition. This planning condition should require further evaluation to clarify the nature and extent of surviving remains which if necessary, be followed by a full investigation.

Risk from Flooding

- 7.80 Policy CS. 16 within the Council's Core Planning Strategy [July 2011] states that the Council will work with the Environment Agency and developers to manage and reduce flood risk from all sources of flooding including surface water, ground water flooding and critical drainage.
- 7.81 The majority of the application site is in flood risk zone 2 [between a 1 in 100 and 1 in 1000 probability of flooding from rivers in any one year] with areas along the north east boundary in flood risk zone 3 [where there is a 1 in 100 year or greater of flooding from rivers in any one year]. The site is also located in an archaeological priority area.
- 7.82 In support of the planning application the applicant has provided a flood risk assessment. The Environment Agency have confirmed that they have no objection to the proposed development subject to the use of planning conditions. These conditions require the submission and approval of a surface water drainage scheme, the submission and approval of information relating to the investigation and remediation of any site contamination; no infiltration of surface water drainage into the ground; piling or any other foundation designs using penetrative methods and that the development is constructed in accordance with the submitted Flood Risk Assessment.

8. ENVIRONMENTAL IMPACT ASSESSMENT

- 8.1 The area of the application site is below 1 hectare and as a result the site falls outside the scope of Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In this context there is no requirement for a screening opinion or for an Environmental Impact Assessment as part of this development.

9. LOCAL FINANCIAL CONSIDERATIONS

Mayor of London Community Infrastructure Lev

- 9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy (CIL), the funds for which will be used by the Mayor of London towards the 'CrossRail' project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL. The Mayor of London Community Infrastructure Levy charge that would be payable for the proposed development would be based on the charge of £35 per square metre.

London Borough of Merton Community Infrastructure Levy

- 9.2 After approval by the Council and independent examination by a Secretary of State appointed planning inspector, in addition to the Mayor of London levy the Council's Community Infrastructure Levy commenced on the 1 April 2014. The liability for this levy arises upon grant of planning permission with the charge becoming payable when construction work commences.
- 9.3 The Merton Community Infrastructure Levy will allow the Council to raise, and pool, contributions from developers to help fund local infrastructure that is necessary to support new development including transport, decentralised energy, healthcare, schools, leisure and public open spaces. The provision of

financial contributions towards affordable housing and site specific obligations will continue to be sought through planning obligations a separate S106 legal agreement.

- 9.4 The London Borough of Merton Community Infrastructure Levy charge that would be payable for the proposed development would be based on the charge of £220 per square metre.

Planning Obligations

- 9.5 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development;
- fairly and reasonably related in scale and kind to the development.

- 9.6 If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission and for the Local Planning Authority to take account of S106 in granting planning permission it needs to be convinced that, without the obligation, permission should be refused.

Provision of affordable housing and other off site financial contribution towards the provision of affordable housing.

- 9.7 Policy CS. 8 within the Council's Adopted Core Strategy (July 2011) states that the Council will seek the provision of a mix of housing tenures at a local level to meet the needs of all sectors of the community including provision for those unable to compete financially in the housing market sector.

- 9.8 Having regard to characteristics such as site size, site suitability, financial viability issues and other planning contributions Core Strategy policy CS 8 states that affordable housing provision on developments of ten or more residential units should include a minimum of 40% of new units on the site as affordable housing. Within this affordable housing provision, 60% of the units should be provided as social/affordable rented and 40% as intermediate accommodation. The applicant has confirmed that 14 of the proposed new units will be provided as affordable housing which is in accordance with policy CS. 8.

Restriction for future occupants from obtaining on street car parking permit.

- 9.9 In order to encourage public transport use a planning obligation is recommended to prevent future occupants from obtaining on street car parking permits.

Monitoring and legal fees

- 9.10 As set out in the Council's adopted Supplementary Planning Guidance the s106 monitoring fees would be calculated on the basis of 5% of the monetary contribution (to be agreed). Legal fees for the preparation of the S106 agreement would need to be agreed at a later date.

10. CONCLUSION

- 10.1 The proposed development represents an effective and sustainable use of this brownfield site, providing additional residential units and incorporating a design and layout sympathetic to the character of the surrounding area, whilst at the same time minimising any adverse impacts on neighbouring amenity. Accordingly, it is recommended that planning permission be granted subject to the planning conditions and planning obligations set out below.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the completion of a Section 106 Agreement and planning conditions.

S106 Heads of terms:

1. The provision of affordable housing
2. A restriction preventing future occupants from obtaining on street car parking permits.
3. The developer agreeing to meet the Council's costs of drafting the Section 106 Obligations (£ to be agreed).
4. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations (£ to be agreed).

And the following conditions:

1. Standard condition (Time period) The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission. Reason for condition: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.
2. Amended standard condition (Approved plans) The development hereby permitted shall be carried out in accordance with the following approved plans: 6336-2P03D; 2P04B; 2P05B; 2P06B; 2P07B; 2P08B; 2P09B; 2P10B; 2P11B; 2P12B; Design and Access Statement; Planning Statement; Supplementary statements received on the 16.04.2015 and 01/06/2015; Desk Study Report (Ground Contamination); Daylight, Sunlight and Overshadowing Report; Environmental Noise and Vibration Assessment; Energy Statement, Transport Statement; Code for Sustainable Homes Assessment; Archaeological Desk Based Assessment; Flood Risk Assessment; Compensatory Flood Storage Statement Reason for condition: For the avoidance of doubt and in the interests of proper planning.
3. Standard condition (Timing of construction work) No demolition or construction work or ancillary activities such as deliveries shall take place before 0800hrs or after 1800hrs Mondays to Fridays inclusive; before 0800hrs or after 1300hrs on Saturdays or at any time on Sundays or Bank Holidays. Reason for condition: To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with Sites and Policies policy DM D2.
4. Non-standard condition (Demolition dust and noise) Prior to the commencement of development (including demolition) measures shall be in place to prevent nuisance from dust and noise to surrounding occupiers with

these measures in accordance with a method statement that has previously been submitted to and approved in writing to the Local Planning Authority with the approved measures retained until the completion of all site operations. Reason for condition: To protect the amenities of occupiers of neighbouring properties and to accord with Sites and Policies policy DM D2. This information is required prior to works commencing as any works on the site could potentially impact upon amenity through the generation of dust and noise.

5. Amended standard condition (Construction phase impacts) Prior to the commencement of development (including demolition) a working method statement shall be submitted to and approved in writing by the Local Planning Authority that shall include measures to accommodate: the parking of vehicles of site workers and visitors; loading and unloading of plant and materials; storage of construction plant and materials; wheel cleaning facilities; control of smell and other effluvia; control of surface water run-off. No development shall be take place that is not in full accordance with the approved method statement. Reason for condition: In the interests of vehicle and pedestrian safety and the amenities of neighbouring occupiers and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011. This information is required prior to works commencing as any works on the site could potentially impact upon amenity.
6. Amended standard condition (Construction Logistics Plan) Prior to the commencement of development (including demolition), a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority and all works shall take place be in accordance with approved plan Reason for condition: In the interests of vehicle and pedestrian safety and the amenities of local residents to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011. This information is required prior to works commencing as any works on the site could potentially impact upon amenity and vehicle and pedestrian safety.
7. Non-standard condition (Land contamination – site investigation) Prior to the commencement of development (including demolition) a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved by the Local Planning Authority with the agreed measures in place prior to first occupation of any residential unit. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Polices policy DM EP4. For the protection of Controlled Waters. The site is located over a Secondary Aquifer, within Source Protection Zone 2 (SPZ2) and it is understood that the site may be affected by historic contamination. This information is required prior to works commencing as any works on the site could potentially impact upon any contamination that may be present.
8. Non-standard condition (Land contamination – site investigation) The submitted scheme to deal with the risks associated with contamination of the site shall include 1) a preliminary risk assessment identifying all previous uses and potential contaminants, a conceptual model of the site indicating sources,

pathways and receptors and potentially unacceptable risks arising from contamination. 2) A site investigation scheme, based on 1 providing information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3) The results of the site investigation and detailed risk assessment including an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in 3 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Polices policy DM EP4. For the protection of Controlled Waters. The site is located over a Secondary Aquifer, within Source Protection Zone 2 (SPZ2) and it is understood that the site may be affected by historic contamination. This information is required prior to works commencing as any works on the site could potentially impact upon any contamination that may be present.

9. Non-standard condition (Land contamination – construction phase) If during development further contamination is encountered which has not previously been identified and considered the Council's Environmental Health Section shall be notified immediately and (unless otherwise agreed in writing with the Local Planning Authority) no further development shall take place until remediation proposals (detailing all investigative works and sampling, together with the results of analysis, risk assessment to any receptors and proposed remediation strategy detailing proposals for remediation) have been submitted to and approved by the Local Planning Authority and the approved remediation measures/treatments implemented in full. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Polices policy DM EP4. For the protection of Controlled Waters. The site is located over a Secondary Aquifer, within Source Protection Zone 2 (SPZ2) and it is understood that the site may be affected by historic contamination.
10. Non-standard condition (Land contamination – validation) Prior to first occupation of the proposed new dwellings or commercial floorspace a verification report shall be submitted to and approved, in writing, by the local planning authority demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Polices policy DM EP4. For the protection of Controlled Waters. The site

is located over a Secondary Aquifer, within Source Protection Zone 2 (SPZ2) and it is understood that the site may be affected by historic contamination.

11. Restriction to B1a Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the approved commercial unit shall only be used for purposes within Use Class B1 and for no other purpose. Reason for condition: The Local Planning Authority wish to retain control over any further change of use of these premises in the interests of safeguarding the amenities and function of the area and to ensure compliance with Development Plan policies DM R2 and EP2 of Merton's Sites and Polices Plan 2014.
12. Non-standard condition (Surface water drainage scheme) Prior to the commencement of development (including demolition) a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall have been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year critical storm plus 30% climate change will not exceed the lower discharge rate of 4.03l/s, as detailed on section 5.2 of the Flood Risk Assessment (FRA) prepared by Nimbus Engineering Consultants, dated November 2014. The scheme shall include a clearly labelled drainage layout plan showing pipe networks, incorporating the SuDS techniques proposed with details of the surface water discharge control system as noted on page 15 of the FRA All measures therefore will need to incorporate a high level overflow to the existing sewer network. Reason for condition: To reduce the risk of flooding to the proposed development, its future users and third parties in accordance with with Sites and Polices policy DM F1. This information is required prior to works commencing as any works on the site could impact upon the drainage system.
13. Non-standard condition (Flood Risk Assessment) Prior to first occupation of the proposed new dwellings or commercial floor space the mitigation measures set out in the approved Flood Risk Assessment (FRA) shall have been fully implemented including the provision of compensatory flood storage as detailed on the compensatory storage report - document number: C1354B; Finished floor levels set no lower than 14.67m above Ordnance Datum (AOD). As detailed in section 8.3 of the FRA. With the development proceeding in full accordance with the FRA. Reason for condition: To prevent the increased risk of flooding to occupiers and the surrounding area. in accordance with with Sites and Polices policy DM F1
14. Non-standard condition [No infiltration of surface water drainage] No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, this consent may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details. Reason for

condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with policy with Sites and Polices policy DM EP4 and to protect controlled waters as the infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

15. Non-standard condition [Foundation design] Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Polices policy DM EP4 and to protect controlled waters as the infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with policy with Sites and Polices policy DM EP4 and to protect controlled waters as the infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.
16. Non-standard condition (Crossrail 2) Prior to the commencement of development (including demolition) detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), shall have been submitted to and approved in writing by the local planning authority. The development shall only proceed in accordance with the approved method statement and all structures and works that are required by the method statements shall be in place before the building is first occupied and shall be retained permanently thereafter. Reason for condition: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2011 Table and 'Land for Industry and Transport' Supplementary Planning Guidance 2012. This information is required prior to works commencing as any works on the site could impact upon the matters that this condition seeks to protect.
17. Amended standard condition (External materials) Prior to the commencement of development details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, (notwithstanding any materials specified in the application form and/or the approved drawings), shall have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details. Reason for condition To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015,

policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014. This information is required prior to works commencing as any works on the site could impact upon the matters that this condition seeks to protect.

18. Amended standard condition [Archaeology - commencement] Prior to the commencement of development [including demolition] the applicant (or their heirs and successors in title) shall have secured the implementation of a programme of archaeological investigation that is in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the local planning authority with the development [including demolition] proceeding in full accordance with the approved Written Scheme of Investigation Reason for condition: In order to provide the opportunity to record the history of the site and to comply with Sites and Policies policy DM D2. This information is required prior to works commencing as any works on the site could impact upon the matters that this condition seeks to protect.
19. Amended standard condition [Archaeology - occupation] Prior to first occupation of the proposed new dwellings or commercial floorspace the site investigation and post investigation assessment shall have been completed in accordance with the programme set out in the Written Scheme of Investigation approved under the preceding planning condition and provision made for the analysis, publication and dissemination of the results and archive deposition secured. Reason for condition: In order to provide the opportunity to record the history of the site and to comply with Sites and Policies policy DM D2
20. Amended standard condition (Delivery and Servicing Plan) Prior to first occupation of the proposed new dwellings or commercial floorspace a Delivery and Servicing Plan (the Plan) shall have been submitted to and approved in writing by the Local Planning Authority. No occupation of the development shall be permitted until the Plan is approved in writing by the Local Planning Authority and implemented in accordance with the approved plan. The approved measures shall be maintained, in accordance with the Plan, for the duration of the use. Reason for condition: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3 and T5 of Merton's Sites and Policies Plan 2014.
21. Amended standard condition (Delivery, Servicing and pedestrian access) Prior to first occupation of the proposed new dwellings or commercial floor space service arrangements shall be in place that are in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These details shall include service access arrangements from Waterfall Cottages and shall include provision of the turning head as part of a shared surface and suitable pedestrian access arrangements. The approved measures shall be maintained, in accordance with the Plan, for the duration of the use. Reason for condition: To ensure the safety of pedestrians

and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3 and T5 of Merton's Sites and Policies Plan 2014.

22. Non-standard condition (Details of walls and fences) Prior to first occupation of the proposed new dwellings or commercial floorspace and notwithstanding what is shown on the submitted drawings walls and fences or other means of enclosure shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the walls and fences or other means of enclosure retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure a satisfactory and safe development in accordance with Sites and Policies Plan policies DM D1, DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.
23. Amended standard condition (Landscaping) Prior to first occupation of the proposed new dwellings or commercial floorspace landscaping shall be in place that is in accordance with a landscaping scheme that has previously been submitted to and approved in writing by the Local Planning Authority with the landscaping scheme to include on a plan, full details of the size, species, spacing, quantities and location of plants, and measures to increase biodiversity together with any hard surfacing and means of enclosure. Reason for condition: To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy CS13 of the Adopted Merton Core Planning Strategy 2011.
24. Non Standard Condition (Landscape Management Plan) Prior to first occupation of the proposed new dwellings or commercial floorspace a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for open space within the site and all communal and incidental landscaped areas within the site shall be submitted to and approved in writing by the Local Planning Authority. The landscape shall be managed in accordance with the approved management plan unless otherwise agreed in writing by the Local Planning Authority. Reason for condition To enhance the appearance of the development and the amenities of the area in accordance with policy CS13 of the Adopted Core Strategy (July 2011).
25. Non Standard Condition (Commercial plant/machinery soundproofing) Noise from any new plant/machinery associated with the relevant commercial floor space shall not increase the background noise level by more than 2dB (A) L 90 (5 minute measurement period) with no increase in any one-third octave band between 50 Hertz and 160Hertz. Reason for condition To safeguard the amenities of the area and the occupiers of neighbouring properties and to ensure compliance with Development Plan policies: policies 7.14 and 7.15 of the London Plan 2015, policy CS7 of Merton's Core Planning Strategy 2011 and policies DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

26. Non-standard condition (Sustainability) Prior to first occupation of the proposed new dwellings evidence shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the development has achieved not less than the CO2 reductions (ENE1) (a 25% reduction compared to 2010 part L regulations), and internal water usage (WAT1) (105 litres/p/day) standards equivalent to Code for Sustainable Homes level 4. Reason for condition: To ensure the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies 5.2 of the Adopted London Plan 2015 and CS 15 of the Adopted Merton Core Planning Strategy 2011.
27. Amended standard condition (Lifetime homes) Prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to confirm the new dwelling units meet Lifetime Homes Standards based on the relevant criteria. Reason for condition: To meet the changing needs of households and comply with policy CS8 of the Adopted Core Strategy (July 2011).
28. Amended standard condition (Screening of external amenity areas) Prior to first occupation of the proposed new dwellings screening to the proposed external amenity areas above lower ground floor shall be in place that is in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority with the approved screening maintained permanently thereafter. Reason for condition: To safeguard the privacy and amenities of the occupiers of neighbouring properties and to comply with Sites and Policies Plan policy DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.
29. Non-standard condition [Car parking spaces] Prior to first occupation of the proposed new dwellings or commercial floorspace details of how the car parking spaces are allocated to individual residential units or the commercial floorspace and details of electric vehicle charging points in accordance with the London Plan, shall be submitted to and approved in writing by the Local Planning Authority with the car parking spaces shown on the approved drawing to serve the development and the charging points provided and thereafter kept free from obstruction and retained for parking purposes for users of the development and for no other purpose. Reason for condition: To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011, the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan
30. Non-standard condition (Cycle storage and parking) Prior to first occupation of the proposed new dwellings or the commercial floor space cycle storage for occupiers or users and cycle parking for visitors for the relevant floor space shall be in place that is accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the cycle storage and parking retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of

satisfactory facilities for the storage of cycles and to comply with policy CS18 of the Adopted Core Strategy (July 2011).

31. Non-standard condition (Refuse and recycling facilities) Prior to first occupation of the proposed new dwellings or the commercial floor space refuse and recycling facilities shall be in place for the relevant floor space that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the refuse and recycling facilities retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with policies CS13 and CS14 of the Adopted Core Strategy (July 2011).

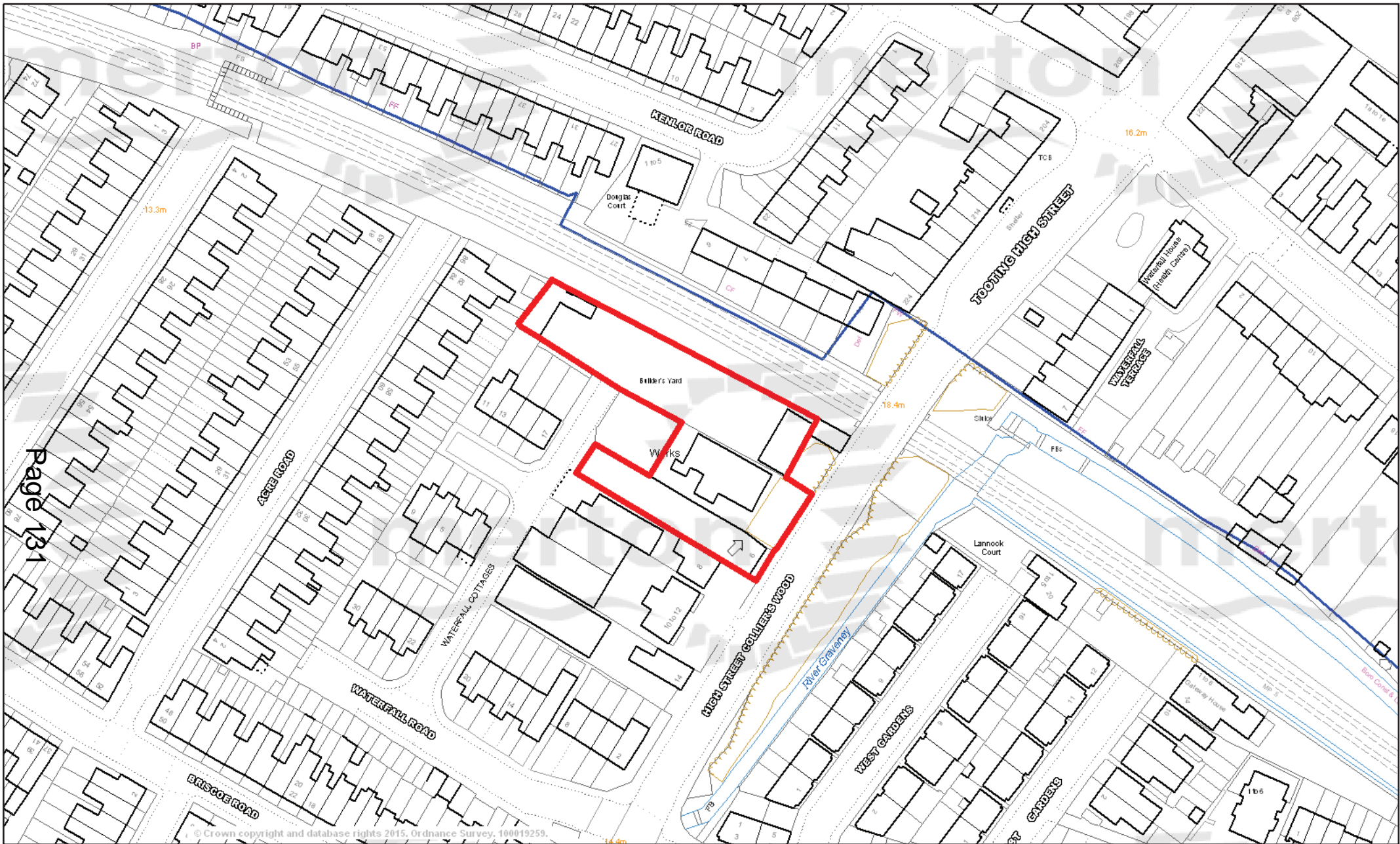
32. Amended standard condition (External Lighting) Any new external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary. Reason for condition In order to safeguard the amenities of the area, the occupiers of neighbouring properties and wildlife using the green corridor at the rear of the site and to ensure compliance with Sites and policy DM D2 and policies CS13 and CS14 of the Adopted Merton Core Planning Strategy 2011.

INFORMATIVES:

- a) The applicant is advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application. In this instance the Planning Committee considered the application where the applicant or agent had the opportunity to speak to the committee and promote the application.
- b) The applicant is advised that details of Lifetime Homes standards can be found at www.lifetimehomes.org.uk
- c) The applicant is advised to contact the Council's Highways team on 020 8545 3151 before undertaking any works within the Public Highway in order to obtain the necessary approvals and/or licences.
- d) The applicant is advised to contact Network Rail (AssetProtection@networkrail.co.uk) prior to any works commencing on site. Network Rail strongly recommends that the developer agrees an Asset Protection Agreement to enable approval of detailed works with more information available at www.networkrail.co.uk/asp/1538.aspx.
- e) The applicant is advised that the demolition works should avoid the bird nesting and bat roosting season. This avoids disturbing birds and bats during a critical period and will assist in preventing possible contravention of the Wildlife and Countryside Act 1981, which seeks to protect nesting birds/bats and their nests/roosts. Buildings should also be inspected for bird nests and bat roosts prior to demolition. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside Act 1981. If

bats are found, Natural England should be contacted for advice (telephone: 020 7831 6922).

- f) The applicant is reminded of the need to comply with the Control of Asbestos Regulations 2012 in relation to the demolition of the existing buildings on the application site, with further advice available at the following link: <http://www.hse.gov.uk/asbestos/regulations.htm>.
- g) The applicant is advised that archaeological written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs. Archaeological monitoring of geotechnical investigations would be a suitable initial method of evaluating deposit survival on the site. The findings will inform the requirement for further evaluation. Should significant archaeological remains be encountered, mitigation comprising further archaeological fieldwork is likely to be necessary.
- h) The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of the final design and associated method statements that are required by a condition, in particular with regard to: demolition; excavation and construction methods. The method statements should include: details on all structures; accommodate the location of the existing London Underground structures and tunnels; accommodate ground movement arising from the construction thereof; and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.
- i) The applicant is advised that the footway and carriageway on the A24 High Street Colliers Wood should remain clear during the construction period; that all vehicles should only park or stop at permitted locations and within the time periods permitted by existing on-street restrictions and that no skips or construction materials should be kept on the footway or carriageway at any time.



Page 131

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2-6 High St

Scale 1/1250

London Borough of Merton
100 London Road
Morden
Surrey
SM4 5DX



Date 2/7/2015

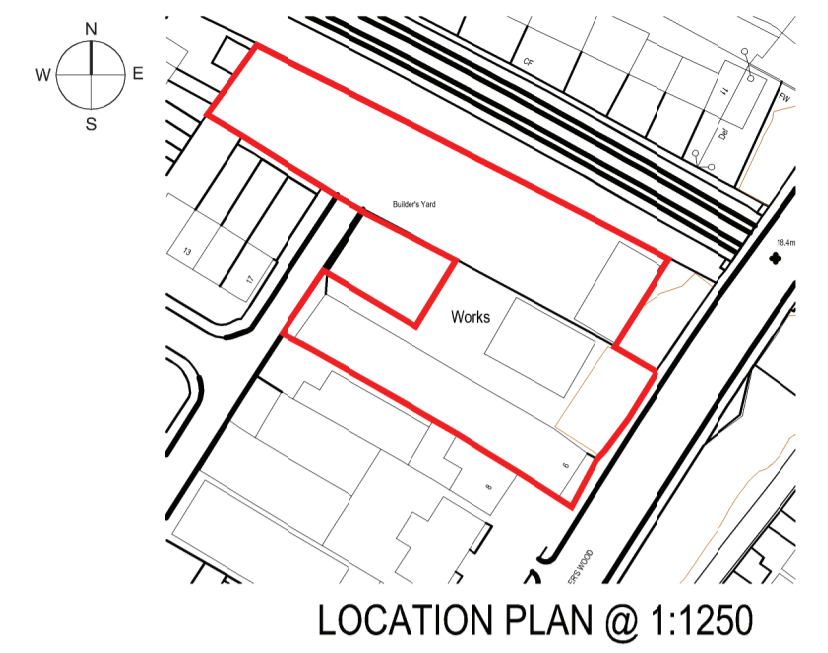
DEVELOPMENT CONTROL

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Legend:

-  Existing tree
-  New trees
-  Removed tree



COLLIER'S WOOD: Accommodation Schedule

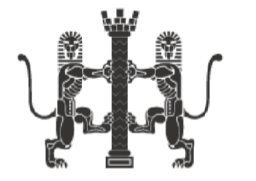
FLAT SCHEDULE:	
1B 2P FLAT	14
2B 3P FLAT	12
2B 4P FLAT	6
3B 5P FLAT	2
TOTAL - UNITS	34

REVISIONS			
REV	DATE	NOTES	INITIAL
A	20.04.2015	AMENDMENTS MADE IN LINE WITH LPA E-MAIL DATED 2 APRIL 2015	SPN
B	06.05.2015	AMENDMENTS MADE IN LINE WITH LPA E-MAIL DATED 30 APRIL 2015	AN
C	14.05.2015	AMENDMENTS MADE IN LINE WITH LPA E-MAIL DATED 11 MAY 2015	SN
D	01.06.2015	AMENDMENTS MADE IN LINE WITH COMMENTS FROM MEETING WITH LPA	SN

STATUS
PLANNING

Howard : Fairbairn : MHK
chartered architects

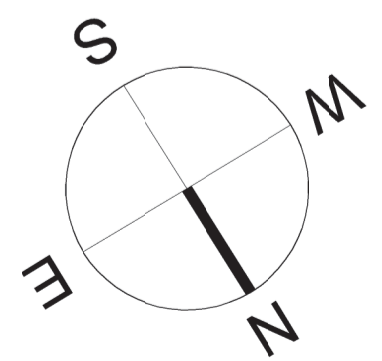
Head Office
Howard Fairbairn Project Services Ltd
439 London Road
Croydon
CR0 3PF
Telephone
020 8665 5252
Facsimile
020 8665 6252
Website
www.hfmmhk.com
Email
croydon@hfmmhk.com



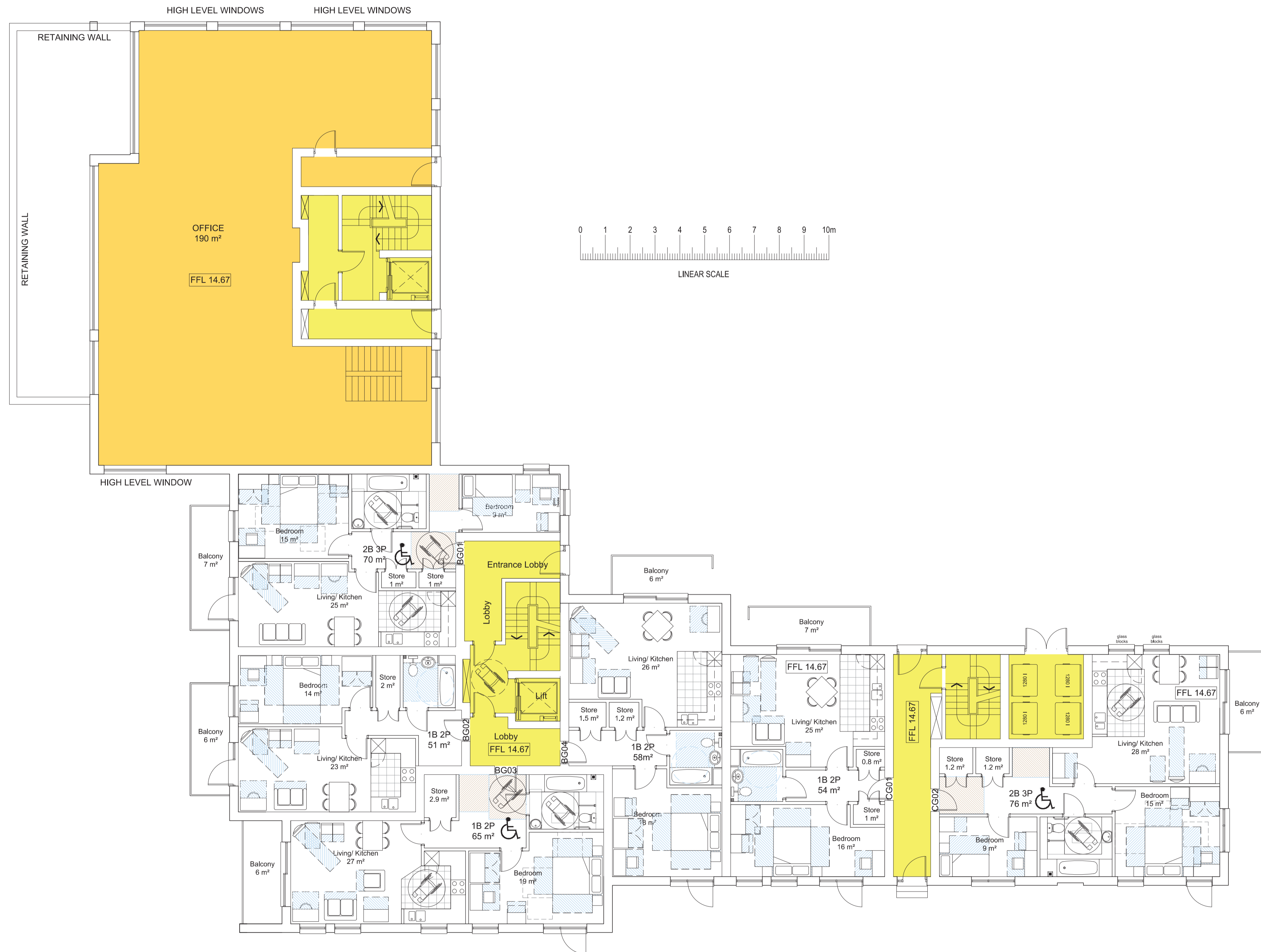
Other Offices :-
Chelster
01244 659 9933
North London
020 8951 5838

Client	Total Homes		
Project	High Street, Colliers Wood		
Title	Proposed Development Site Plan		
Drawn by	SN	Checked by	AJL
Scale	1:200 @ A1	Date	NOV 2014
CAD Ref:	6336		

Dwg N°	6336-2P03	Rev	D
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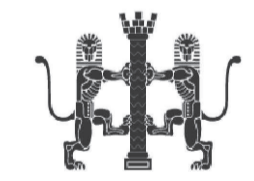
LOWER GROUND FLOOR PLAN

REVISIONS			
REV	DATE	NOTES	INITIAL
A	20.04.2015	AMENDMENTS MADE IN LINE WITH LPA E-MAIL DATED 2 APRIL 2015	SPN
B	06.05.2015	AMENDMENTS MADE IN LINE WITH LPA E-MAIL DATED 30 APRIL 2015	AN

STATUS
PLANNING

Howard Fairbairn MHK
chartered architects

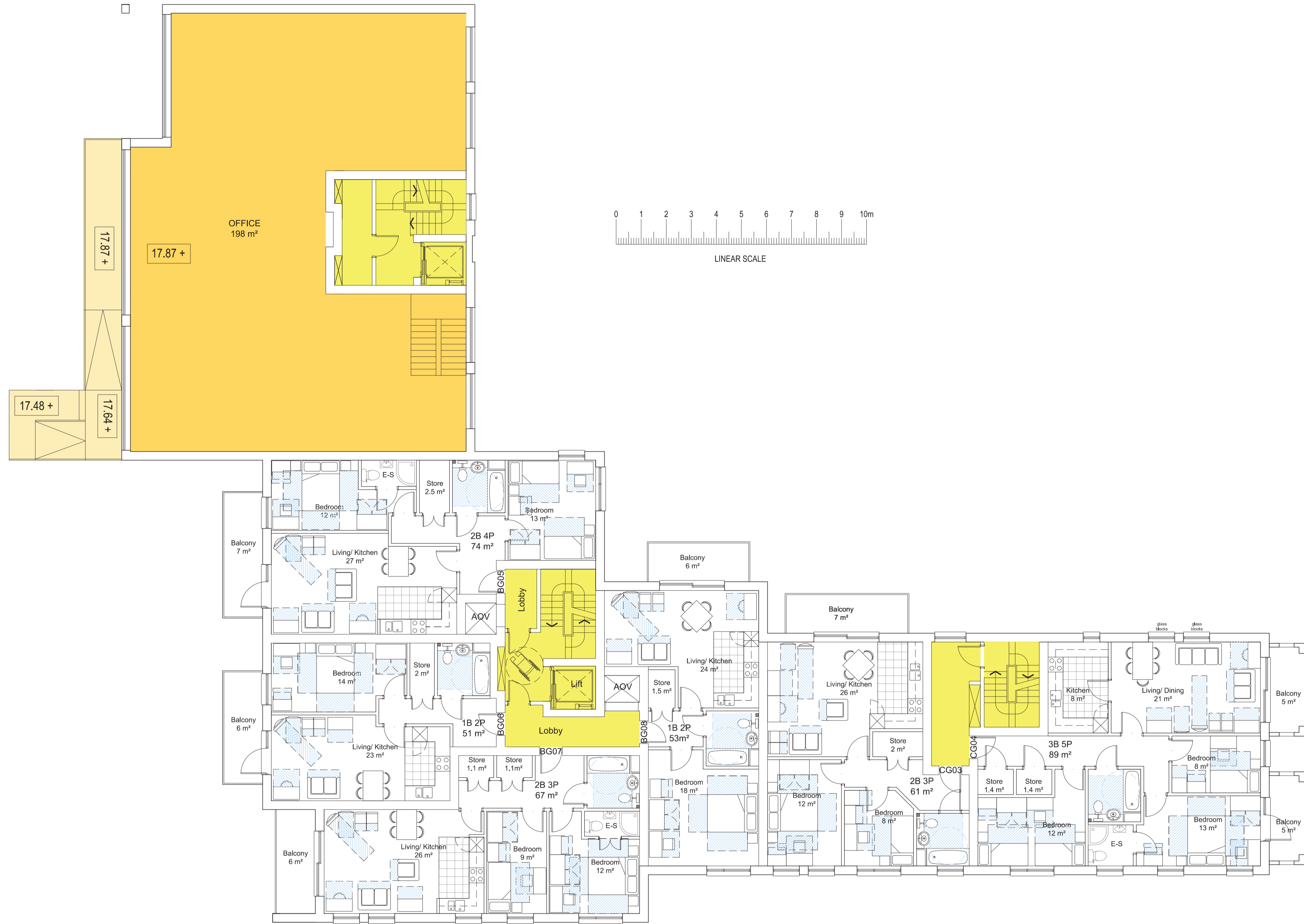
Head Office
Howard Fairbairn Project Services Ltd
439 London Road
Croydon
CR0 3PF
Telephone
020 8665 5252
Facsimile
020 8665 6252
Website
www.hfahk.com
Email
croydon@hfahk.com



Other Offices :-
Chester
01244 659 9933
North London
020 8951 5838

Client	Total Homes		
Project	High Street, Colliers Wood		
Title	Proposed Development Lower Ground Floor Plan		
Drawn by	SN	Checked by	AJL
Scale	1:100 @ A1	Date	NOV 2014
CAD Ref:	6336		

Dwg N°	6336-2P04	Rev	B
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UPPER GROUND FLOOR PLAN

REVISIONS			
REV	DATE	NOTES	INITIAL
A	20.04.2015	AMENDMENTS MADE IN LINE WITH LPA E-MAIL DATED 2 APRIL 2015	SPN
B	06.05.2015	AMENDMENTS MADE IN LINE WITH LPA E-MAIL DATED 30 APRIL 2015	AN

STATUS
PLANNING

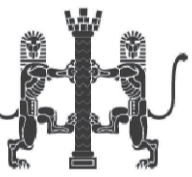
Howard Fairbairn :MHK
chartered architects

Head Office
Howard Fairbairn Project Services Ltd
439 London Road
Croydon
CR0 3PF
Telephone
020 8665 5252

Facsimile
020 8665 6252

Website
www.hfmhk.com

Email
croydon@hfmhk.com



Other Offices :-

Chesler
01244 659 9933

North London
020 8951 5838

Client	Total Homes		
Project	High Street, Colliers Wood		
Title	Proposed Development Upper Ground Floor Plan		
Drawn by	SN	Checked by	AJL
Scale	1:100 @ A1	Date	NOV 2014
CAD Ref:	6336		

Dwg N°	6336-2P05	Rev	B
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FIRST FLOOR PLAN

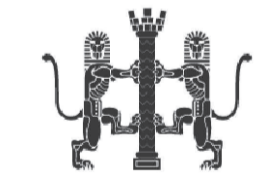
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B	06.05.2015	AMENDMENTS MADE IN LINE WITH LPA E-MAIL DATED 30 APRIL 2015	AN

STATUS

PLANNING

Howard : Fairbairn : MHK
 chartered architects

Head Office
 Howard Fairbairn Project Services Ltd
 439 London Road
 Croydon
 CR0 3PF
 Telephone
 020 8665 5252
 Facsimile
 020 8665 6252
 Website
 www.hfmhk.com
 Email
 croydon@hfmhk.com



Other Offices :-
 Chester
 01244 659 9933
 North London
 020 8951 5838

Client	Total Homes		
Project	High Street, Colliers Wood		
Title	Proposed Development First Floor Plan		
Drawn by	SN	Checked by	AJL
Scale	1:100 @ A1	Date	NOV 2014
CAD Ref:	6336		

Dwg N°	6336-2P06	Rev	B
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SECOND FLOOR PLAN

REVISIONS				
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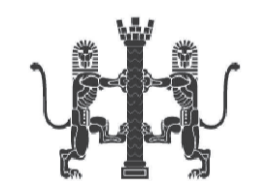
STATUS

PLANNING

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chartered architects

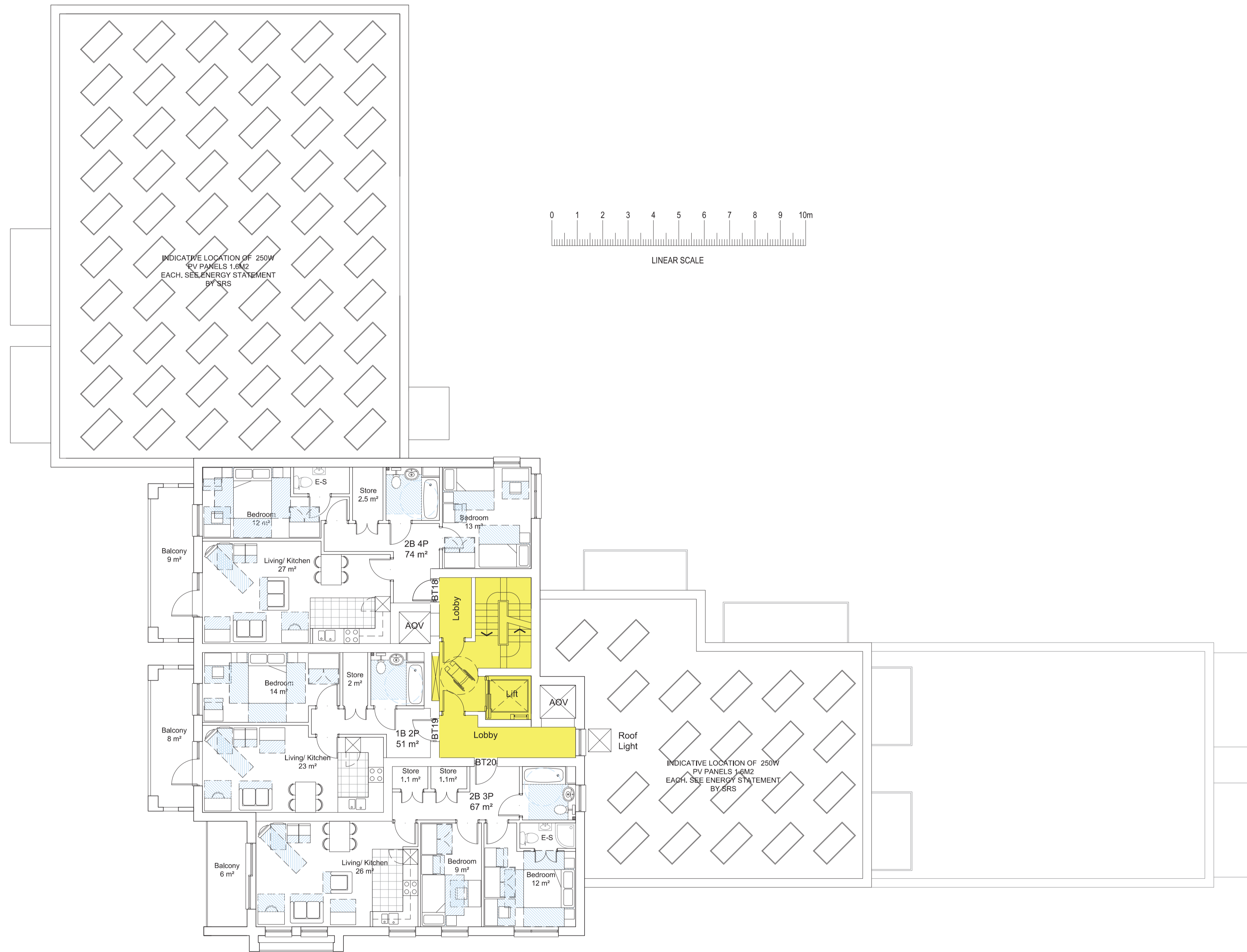
Head Office
 Howard Fairbairn Project Services Ltd
 439 London Road
 Croydon
 CR0 3PF
 Telephone
 020 8665 5252
 Facsimile
 020 8665 6252
 Website
 www.hfmhk.com
 Email
 croydon@hfmhk.com

Other Offices :-
 Chester
 01244 659 9933
 North London
 020 8951 5838



Client	Total Homes		
Project	High Street, Colliers Wood		
Title	Proposed Development Second Floor Plan		
Drawn by	SN	Checked by	AJL
Scale	1:100 @ A1	Date	NOV 2014
CAD Ref:	6336		

Dwg N°	6336-2P07	Rev	B
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THIRD FLOOR PLAN

REVISIONS			
REV	DATE	NOTES	INITIAL
A	20.04.2015	AMENDMENTS MADE IN LINE WITH LPA E-MAIL DATED 2 APRIL 2015	SPN
B	06.05.2015	AMENDMENTS MADE IN LINE WITH LPA E-MAIL DATED 30 APRIL 2015	AN

STATUS
PLANNING

Howard : Fairbairn : MHK
chartered architects

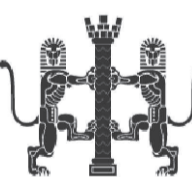
Head Office
Howard Fairbairn Project Services Ltd
439 London Road
Croydon
CR0 3PF

Telephone
020 8665 5252

Facsimile
020 8665 6252

Website
www.hfmhk.com

Email
croydon@hfmhk.com



Other Offices :-
Chester
01244 659 9933
North London
020 8951 5838

Client	Total Homes		
Project	High Street, Colliers Wood		
Title	Proposed Development Third Floor Plan		
Drawn by	SN	Checked by	AJL
Scale	1:100 @ A1	Date	NOV 2014
CAD Ref:	6336		

Dwg N°	6336-2P08	Rev	B
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FOURTH FLOOR PLAN

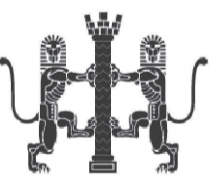
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B	06.05.2015	AMENDMENTS MADE IN LINE WITH LPA E-MAIL DATED 30 APRIL 2015	AN

STATUS

PLANNING

Howard Fairbairn MHK
 chartered architects

Head Office
 Howard Fairbairn Project Services Ltd
 439 London Road
 Croydon
 CR0 3PF
 Telephone
 020 8665 5252
 Facsimile
 020 8665 6252
 Website
 www.hfmhk.com
 Email
 croydon@hfmhk.com



Other Offices :-
 Chester
 01244 659 9933
 North London
 020 8951 5838

Client	Total Homes		
Project	High Street, Colliers Wood		
Title	Proposed Development Fourth Floor Plan		
Drawn by	SN	Checked by	AJL
Scale	1:100 @ A1	Date	NOV 2014
CAD Ref:	6336		

Dwg N°	6336-2P09	Rev	B
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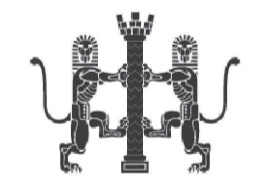


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B	06.05.2015	AMENDMENTS MADE IN LINE WITH LPA E-MAIL DATED 30 APRIL 2015	AN

STATUS
PLANNING

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chartered architects

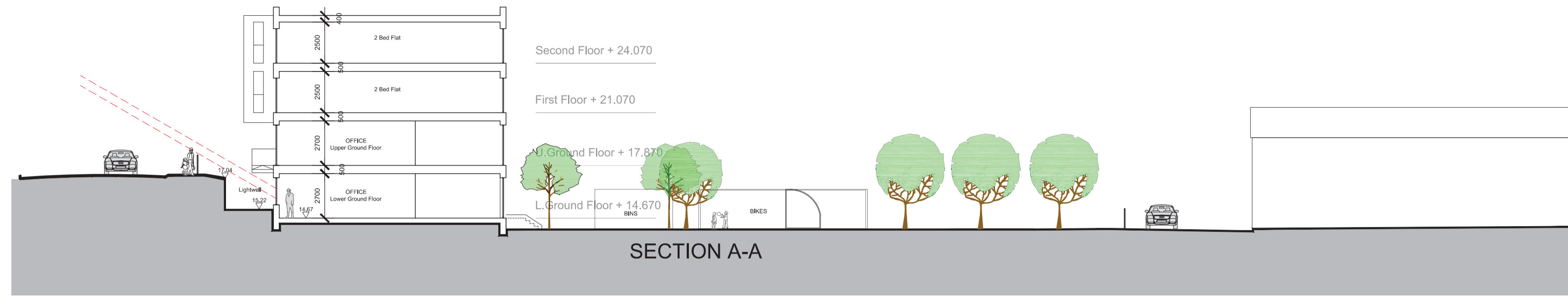
Head Office
Howard Fairbairn Project Services Ltd
439 London Road
Croydon
CR0 3PF
Telephone
020 8665 5252
Facsimile
020 8665 6252
Website
www.hfmhk.com
Email
croydon@hfmhk.com



Other Offices :-
Chester
01244 659 9933
North London
020 8951 5838

Client	Total Homes		
Project	High Street, Colliers Wood		
Title	Proposed Development ELEVATIONS		
Drawn by	SN	Checked by	AJL
Scale	1:100 @ A1	Date	NOV 2014
CAD Ref:	6336		

Dwg N°	6336-2P11	Rev	B
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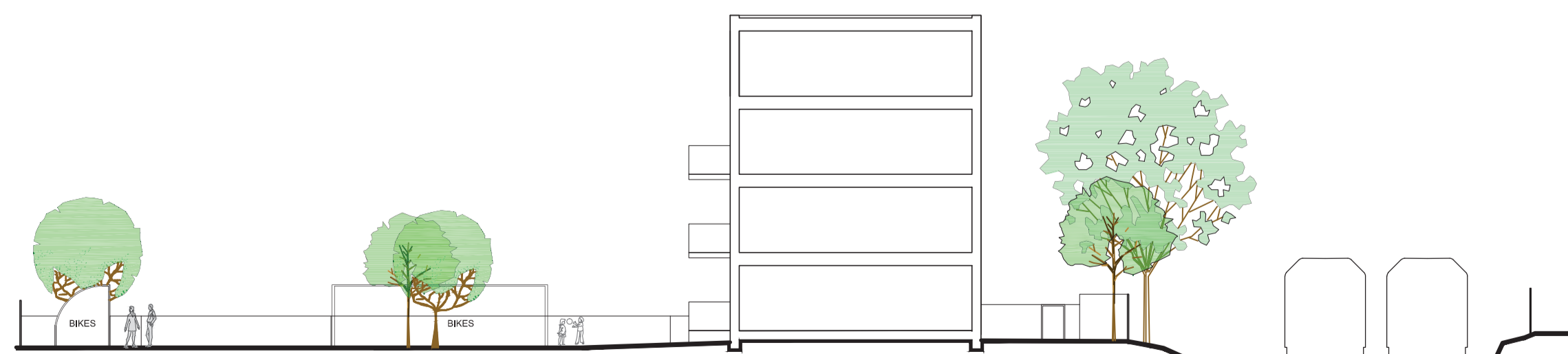
SECTION A-A



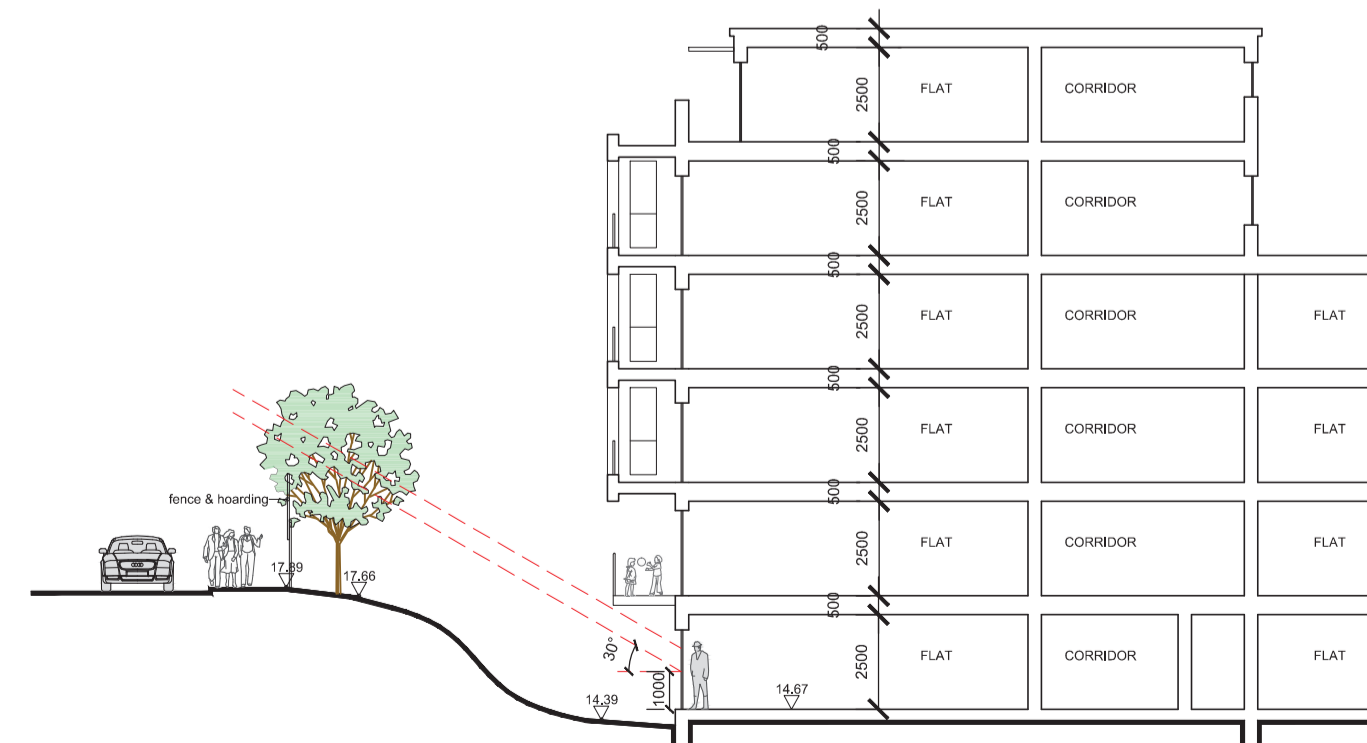
SECTION B-B



SECTION C-C



SECTION D-D



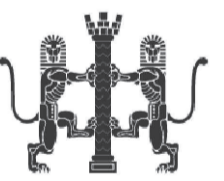
SECTION E-E

REVISIONS			
REV	DATE	NOTES	INITIAL
A	20.04.2015	AMENDMENTS MADE IN LINE WITH LPA E-MAIL DATED 2 APRIL 2015	SPN
B	06.05.2015	AMENDMENTS MADE IN LINE WITH LPA E-MAIL DATED 30 APRIL 2015	AN

STATUS
PLANNING

Howard : Fairbairn : MHK
chartered architects

Head Office
Howard Fairbairn Project Services Ltd
439 London Road
Croydon
CR0 3PF
Telephone
020 8665 5252
Facsimile
020 8665 6252
Website
www.hfmhk.com
Email
croydon@hfmhk.com



Other Offices :-
Chester
01244 659 9933
North London
020 8951 5838

Client	Total Homes		
Project	High Street, Colliers Wood		
Title	Proposed Development SECTIONS		
Drawn by	SN	Checked by	AJL
Scale	1:100 @ A1	Date	NOV 2014
CAD Ref:	6336		

Dwg N°	6336-2P12	Rev	B
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PLANNING APPLICATIONS COMMITTEE

16 July 2015

	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	14/P3362	02/09/2014
Address:	Former Express Dairy, North Lodge, 166-168 London Road, Morden, SM4 5AT	
Ward	Merton Park	
Proposal	Demolition of the existing building (Use Class B8 1165 square metres) and the construction of a new building rising to a total of 4 storeys providing 29 residential dwellings (9 one bedroom, 16 two bedroom and 4 three bedroom flats) with 3 off street car parking spaces for people with disabilities, cycle storage, ground level and rooftop amenity space and the formation of new vehicle layby in London Road with adjustments to the existing public footpath.	
Drawing No's	GA-EX-SP; GA-S-01B; GA-SP-L00B; GA-P-L00B; GA-P-L01B; GA-P-L02B; GA-P-L03B; GA-P-L04B; GA-E-01B; GA-E-02B; GA-E-03B; Design and Access Statement (May 2015); Design Changes Summary; Daylight and Sunlight Report; Energy Statement, Air Quality Assessment; Noise Assessment Report; Transport Statement; Historic Environment Assessment; Marketing Report; and Employment Land Review.	
Contact Officer	Tony Ryan (020 8545 3114)	

RECOMMENDATION GRANT PLANNING PERMISSION subject to planning conditions and a S106 legal agreement.

CHECKLIST INFORMATION.

- S106: affordable housing, restriction on parking permits and dedication of land.
 - Is an Environmental Statement required: No;
 - Conservation Area: No;
 - Archaeological Priority Zone: Yes;
 - Area at Risk from Flooding: No;
 - Trees: No protected trees;
 - Controlled Parking Zone: No;
 - Development Plan designation – No formal designation;
 - Design Review Panel consulted – Yes;
 - Site notice: Yes;
 - Press notice: Yes;
 - Number of neighbours consulted: 122;
 - External consultations: Historic England (formally English Heritage) and the Police Crime Prevention Design Advisor;
 - PTAL: level 6a at the front of the site and level 5 at the rear (TFL Planning Information Database);
 - Density: 81 habitable rooms, area of 0.24h - 338 habitable rooms per hectare.
-

1. INTRODUCTION

- 1.1 This application is brought before committee for Members' consideration as it is a significant site in a prominent location, as a result of the public interest in the proposal and following a request for committee determination from Councillor John Sargeant.

2. SITE AND SURROUNDINGS

- 2.1 The application site (0.24 hectares) is located on the north west side of London Road between Morden Town Centre and the London Road junction with Goodwood Close. London Road is a classified road (A24) which is part of the Transport for London Road Network (TLRN or 'Red Route') and carries a large quantity of traffic as a busy arterial thoroughfare running from Morden to Epsom and the M25 beyond.
- 2.2 The front of the application site has a Public Transport Accessibility Level rating of 6a and the rear part of the site a rating of 5 (On a scale of 1a, 1b, and 2-5, 6a, 6b where zone 6b has the greatest accessibility). The site is not located in a controlled parking zone, however Camrose Close and Morden Court Parade on the opposite side of Morden Road are within controlled parking zone M1 that operates between Monday to Friday 1000hrs to 1600hrs.
- 2.3 A bus lane running pass the site operates between 0700hrs 1000hrs between Monday to Saturday. Single red line parking restrictions operate outside the application site between Monday and Saturday 0700hrs to 1900hrs with a car parking bay for one car outside 162 London Road allowing restricted parking after 1000hrs. The site has a public transport accessibility level of 6a with Morden South mainline station located 380 metres to the south west and Morden Underground station 460 metres to the north east. A central reservation in London Road that extends 44 metres past the site entrance prevents southbound vehicles from making a right hand turn into the application site
- 2.4 The north west (rear) application site boundary is adjacent to the rear garden boundary of two storey terraced properties in Cedars Road; the north east (side) boundary is adjacent to the rear garden boundary of two storey semi-detached properties in Camrose Close and the side boundary of the two storey semi-detached property at 164 London Road. The south west boundary is shared with the residential building called 'Homefield'. Homefield provides 24 flats in a three storey building with a 50 metre long side elevation facing towards the application site. On the opposite side of London Road are the four storey residential buildings called Morden House (40 flats) and Grosvenor Court (96 flats).
- 2.5 A motor vehicle repair workshop called Northolt Works is adjacent to the north west corner of the application site. At the meeting in November 2014 the planning applications committee resolved to approve outline planning permission (14/P2917) for the redevelopment of this site. This development consisted of the demolition of the existing motor vehicle repair workshop and

the construction of a part two, part three storey building providing 12 residential units (8 two bedroom flats, 3 one bedroom flats and 1 two bedroom maisonette).

- 2.6 The application site is currently vacant but was previously used by express dairies and by a car accident management company. The site has floorspace covering 1165 square metres that is provided in a three storey brick office building on the site frontage and a large commercial metal clad building at the rear.
- 2.7 The site is located in an archaeological priority zone. The site is not located in an area at risk from flooding. The site is not in a conservation area and there are no buildings either on the site or nearby that are on the statutory or local list of historically important buildings.

3 CURRENT PROPOSAL

- 3.1 The current proposal involves the demolition of the existing buildings and structures on the application site. The planning application form states that these buildings currently provide 1165 square metres of employment floor space (Use Class B8). The footprint of the proposed new building forms a 'U' shape enclosing a communal central amenity space. The main part of the proposed building is three storeys in height. The building then steps up to a height of four storeys in the central part of the site and steps down to a single storey adjacent to the site boundaries.
- 3.2 The development will provide a total of 29 residential dwellings, consisting of 9 one bedroom, 16 two bedroom and 4 three bedroom flats. All but one of the proposed 8 ground floor residential units are provided with a separate external entrance door with separate entrances provided from the front elevation to the three units at the front of the site.
- 3.3 The development has two staircase cores (A and B) providing access to the upper floors of the building with a total of 10 units at first floor level, 9 units at second floor level and 2 units on the top floor. All of the ground floor units have a private external amenity space with a communal space provided in the centre of the site. All of the units above ground floor level are provided with external amenity space in the form of balconies.
- 3.4 A delivery and servicing area is provided to the side of the site with three off wheelchair accessible off street parking spaces. At the front of the site a new vehicle layby is proposed with a shared surface that will involve the dedication of land currently within the application site as a new public footpath. The development is shown as providing 41 residential cycle parking spaces in three integral storage rooms. Refuse storage for the residential accommodation is also provided within the new buildings
- 3.5 The table on the following page provides information on the internal size of the proposed residential accommodation and external amenity space and compares the space that is provided with the current relevant minimum standards set out in the Development Plan.

Table 1: Standard of the proposed accommodation

Flat number	Floor	Internal layout (Sq. M)					Amenity space (Sq. M)			
		Bedrooms	Bed spaces	Habitable rooms	Gross Internal Area	London Plan Standard	Garden	Balcony	Shared	Sites and Policies Plan standard
1.	Ground	1	2	2	51	50	46	-	272	5
2.	Ground	2	3	3	91	61	69	-	272	6
3.	Ground	2	3	3	86	61	94	-	272	6
4.	Ground	2	3	3	84	61	30	-	272	6
5.	Ground	3	5	4	93	86	107	-	272	8
6.	Ground	3	5	4	92	86	119	-	272	8
7.	Ground	3	5	4	91	86	119	-	272	8
8.	Ground	3	5	4	97	86	98	-	272	8
9.	First	1	2	2	53	50	-	5	272	5
10.	First	1	2	2	53	50	-	5	272	5
11.	First	2	4	3	74	70	-	10	272	7
12.	First	2	4	3	73	70	-	7	272	7
13.	First	2	4	3	73	70	-	7	272	7
14.	First	2	4	3	73	70	-	7	272	7
15.	First	1	2	2	52	50	-	5	272	5
16.	First	2	4	3	71	70	-	10	272	7
17.	First	2	4	2	71	70	-	10	272	7
18.	First	1	2	2	52	50	-	5	272	5
19.	Second	1	2	2	53	50	-	5	272	5
20.	Second	1	2	2	53	50	-	5	272	5
21.	Second	2	4	3	74	70	-	10	272	7
22.	Second	2	4	3	73	70	-	7	272	7
23.	Second	2	4	3	73	70	-	7	272	7
24.	Second	2	4	3	73	70	-	7	272	7
25.	Second	1	2	2	52	50	-	5	272	5
26.	Second	2	4	3	70	70	-	10	272	7
27.	Second	1	2	2	55	50	-	5		5
28.	Third	2	4	3	75	70	-	28		7
29.	Third	2	4	3	77	70	-	20		7

4. PLANNING HISTORY.

4.1 The most relevant planning history is provided below.

4.2 Planning permission refused in September 2008 (LB Merton Ref: 07/P2531) for the change of use from dairy depot to car park including contract parking and car valetting. The reason for refusal was as follows:

The proposed change of use from milk depot (Class B8) to car parking, including contract parking and car valetting (Sui Generis) would: a) result in the loss of employment land, for which the applicant has failed to demonstrate that there is no demand, or that it is unsuitable or financially unviable for any employment or community use, to the detriment of providing and safeguarding employment opportunities in the Borough, b) facilitate and lead to an increased number of vehicle/commuter trips to the town centre thereby failing to reduce the need to travel by car and failing to promote more sustainable forms of transport thereby constituting an unsustainable form of development; and would be contrary to policies E.6, PK4 and LU.3 of the Adopted Unitary Development Plan (October 2003).

4.3 Planning permission was approved in March 1979 (LB Merton Ref: MER903/78) for the erection of new bottle store, removal of existing loading banks, provision of canopy over existing roadway and 2 milk silos and the demolition of existing chimney and replacement with 85 foot aluminium chimney.

4.4 Advertisement consent was granted in October 2007 (LB Merton Ref: 07/p2597) for the retention of advertising displays, in connection with the use of the land for car parking, on and towards the London Road frontage.

4.5 Planning permission was approved in November 1960 (LB Merton Ref: M/M8559) for the use of North Lodge 168 London Road for storage and offices.

4.6 Planning permission was approved in July 1974 (LB Merton Ref: MER57/74) for the use of erection of a part single part two storey building to provide cold store and servery with ancillary accommodation and formation of car parking spaces, involving the demolition of the existing offices and printing works at express dairy depot 166-168 London Road.

4.7 Planning permission was approved in July 1969 (LB Merton Ref: MER465/69) for the extension to existing car park ancillary to the milk distribution depot at 168 London Road.

5. CONSULTATION

5.1 Prior to the submission of the current planning application the applicant carried out pre-application consultation with adjoining residents. A consultation event on the site was attended by 20 local residents including

residents in London Road, Camrose Close, Cedars Road Homefield and Morden Court.

5.2 The submitted planning application was publicised by means of a site notice, a press notice and individual consultation letters sent to 122 local addresses. As a result of the original public consultation nineteen letters (including a letter signed by 11 local residents) were received objecting to the proposal. Following the revision of the application, further public consultation was carried out and 9 letters were received objecting to the proposal. The objections raised from both rounds of public consultation are summarised below:

5.3 **Employment uses**

- Insufficient consideration has been given to the loss of the existing employment uses.
- The submitted marketing report incorrectly describes the application site and the surrounding area;

5.4 **Design and scale**

- Due to the size of the proposed building the development will ‘...intrude over and dominate the nearby houses in Camrose Close which are typical; (two storey) suburban...semi-detached properties laid out in a uniform style”;
- The development proposes a tall building and these are only appropriate in town centre locations;
- The development is overbearing and visually intrusive;
- The area to the north west side of London Road has never had a tall building since the area was developed in the 1930’s;
- Whilst the frontages of the Holt and Homefield are higher than three storeys they do not set a precedent as the rear part of these buildings are three storeys high to protect neighbouring two storey development;
- The four storey buildings on the opposite side of London Road should not set a precedent as they are not adjacent to two storey buildings.
- The design and access statement is incorrect in saying that the development provides a transition between two storey buildings and the three storey Homefield House;
- The approval of a fourth storey will set an unwelcome precedent;
- The height of the development would spoil the character of Camrose Close;
- The height of the development should be reduced by a storey to three storeys;
- The proposed development is higher than the industrial buildings that are to be replaced;
- The Council’s policy is that development in this area should be a maximum of three storeys and there are no four storey buildings nearby;
- The landscaping shown by the architect on balconies is misleading;
- Protection should be given to trees that may be affected by the development;

- The development should include new landscaping in the vicinity of the site;
- The development should include measures to harvest rainwater;
- The modern design is out of keeping with neighbouring development;
- The development should have been informed by the local pattern of development 'such as the Holt, Grosvenor Court and Homefield';
- The scale, massing and height of the development will adversely impact upon neighbouring resident's enjoyment of their gardens contrary to UDP policies BE.15 and BE.22.
- The proposed building line does not conform to the existing street frontage and appears disjointed;

5.5 **Car parking**

- The development will increase the existing high demand for on street car parking space;
- There is insufficient car parking for residents, guests and deliveries;

5.6 **Nuisance and amenity**

- Any development over three storeys '...is totally invading our right to privacy';
- The development will harm privacy due to the proposed windows and balconies;
- The proposed balconies will result in noise disturbance;
- The proposed development has windows above ground floor level in contrast to the industrial buildings that are to be replaced;
- The development will result in visual intrusion as it will "...tower over all of the houses in the vicinity";
- The proposed building will result in a loss of daylight and sunlight to nearby houses;
- The artificial light produced from the 29 flats would harm amenity;
- The noise from this number of dwellings will harm amenity;
- The demolition work will result in a loss of amenity including noise and dust;
- The demolition work will result in damage to adjacent properties;
- The demolition work and the development will result in a loss of property value;
- The single storey part of the building adjacent to Camrose Close will be a security risk;
- The use of the green roofs as amenity space will harm the privacy of adjacent occupiers
- The existing 4 metre high rear wall should be retained to protect privacy;
- The development will damage the health of adjoining occupiers;
- The development will harm the existing sense of community and the neighbourhood;
- The privacy screening to balconies will be inadequate;
- In line with policy LC3 and to reduce flooding and surface water runoff if approved the surfaces within the development should be permeable.

- If approved a planning condition is required to ensure that the green roof is adequately maintained;
 - The development will put pressure on local schools and doctor surgeries;
 - The absence of affordable housing is contrary to Council policy;
 - The development is contrary to the Building Regulations in terms of fire access;
 - The development is contrary to various policies within the Unitary Development Plan (superseded by the Sites and Policies Plan in July 2014).
- 5.7 **Councillor Andrew Judge** A concern is expressed about the height and mass of the proposed development in terms of the proximity to nearby homes. It seems that the development would be an 'overbearing presence' in relation to Camrose Close, neighbouring properties in London Road and would be too close to Homefield. A further concern would be the rooftop terrace in terms of loss of privacy. (These comments were made on the original planning drawings that were subsequently amended)
- 5.8 **Transport for London** as the highway authority for London Road Morden have no objection to the proposal subject to the following:
- Future residents are excluded from applying for in street car parking permits;
 - Cycle parking provision to meet the revised London Plan Standards;
 - The submission and approval of a Construction Logistics Plan through a planning condition;
 - The footway and carriageway on London Road Morden remaining clear during the construction period;
 - All vehicles only parking or stopping at permitted locations and within the time periods permitted by existing on-street restrictions;
 - No skips or construction materials shall be kept on the footway or carriageway at any time.
- 5.9 **Metropolitan Police Crime Prevention Design Advisor** It is recommended that Secured by Design should be incorporated as a minimum standard for security in this development. The revised design appears to have addressed the concerns raised in relation to the original proposal. I have no further security concerns.
- 5.10 **Historic England (formerly known as English Heritage)** There are no objections to the submitted proposal in relation to archaeological considerations on the basis that any planning permission is subject to a planning condition to require further evaluation to clarify the nature and extent of surviving remains which would be followed if necessary, by a full investigation.
- 5.11 **Design Review Panel.** The proposal was considered by the Design Review Panel at the pre application stage on the 20 July 2011. The comments from the panel are provided below with points made by the Panel about the roof

terraces, single aspect units sustainability and landscaping assessed in the main part of this report.

- 5.12 *"The Panel was generally supportive of the proposal on a few key points. They felt that the scale and height of the building, particularly on the street frontage, was appropriate to that of the street. The building line chosen, was considered appropriate, and an improvement on the earlier straight alignment. The architectural style and appearance of the building was considered acceptable and appropriate for the location and the Panel noted the attempt to manage the transition in scale between the differing adjacent building typologies. The Panel were also pleased to see the positive contribution that the landscaping at the front made to the street character, though good management of this was essential to its success.*
- 5.13 *The Panel only had one main point of concern. However they considered it fundamental in that it was affecting a number of issues. This related to the high number of single aspect flats in the scheme, many being north facing. It was felt this was a by-product of an attempt to fit as much on the site as possible. It also had detrimental effects in terms of sustainability – such as natural ventilation, and in producing awkward corners in the H shape block – other nearby blocks were more U shaped.*
- 5.14 *It was felt that the approach should be driven by a desire to achieve as many dual aspect units as possible and that this was simply not high enough on the applicant's priority list. If this was driving the scheme design, then it was considered that perhaps a different solution would result – one that may have a different shaped block and may have the communal garden on the south side and the vehicular access on the north side. The Panel felt that the number and quality of the single aspect units was a significant detrimental element of the proposal and that more work was clearly needed on developing both the overall layout and the arrangement and internal layouts of the individual units.*
- 5.15 *The Panel felt that issues of sustainability were considered more as an add on, rather as integral to the scheme as a whole and that this was evidenced in the use of single aspect flats and how south facing flats would not be able to self-ventilate. A range of measures were suggested by the Panel for meeting renewables targets. Considering renewables earlier on in scheme development could also be likely to support a different approach to building design and layout.*
- 5.16 *On more detailed matters the Panel understood the attempt to step down the scale to the adjacent semi-detached house, but felt that this would present a series of blank flank walls that may be susceptible to graffiti. These would be relatively prominent when approaching from Morden town centre and it was important this presented a positive and attractive aspect to both the street and the development. It was felt that there was an opportunity to create a positive smaller scale landmark element to the building here.*

- 5.17 *It was noted that the road was wide but also quite bleak. Therefore the Panel felt that the area in front of the building presented an opportunity to improve the appearance of the street, helping green it and also presenting a positive and welcoming aspect to the new building itself. It was felt further work was needed on developing this and that the landscaping in general over the site needed further consideration.*
- 5.18 *Overall the Panel felt that there was also opportunity to develop the architectural approach further, however it appreciated the scheme was at an early stage of development. The Panel considered that if the issues it raised were fully addressed, the proposal could be developed into a scheme that would warrant a Green verdict. **VERDICT: AMBER***

6 POLICY CONTEXT

London Plan 2015

- 6.1 The further alterations to the London Plan were published on the 10 March 2015. The relevant policies in the London Plan (2015) are 3.3 (Increasing housing supply); 3.4 (Optimising housing potential); 3.5 (Quality and design of housing developments); 3.6 (Children and young people's play and informal recreation facilities); 3.3 (Increasing housing supply); 3.4 (Optimising housing potential); 3.5 (Quality and design of housing developments); 3.6 (Children and young people's play and informal recreation facilities); 3.8 (Housing choice); 3.9 (Mixed and balanced communities); 3.11 (Affordable housing targets); 3.12 (Negotiating affordable housing); 4.1 (Developing London's economy); 4.4 (Managing industrial land and premises); 5.2 (Minimising carbon dioxide emissions); 5.3 (Sustainable design and construction); 5.7 (Renewable energy); 5.10 (Urban greening); 5.13 (Sustainable drainage); 5.15 (Water use and supplies); 6.5 (Funding Crossrail); 6.9 (Cycling); 6.10 (Walking); 6.13 (Parking); 7.1 (Building London's neighbourhoods and communities); 7.2 (An inclusive environment); 7.3 (Designing out crime); 7.4 (Local character); 7.5 (Light pollution); 7.6 (Architecture); 7.15 (Reducing noise and enhancing soundscapes); 7.19 (Biodiversity and access to nature); 8.2 (Planning obligations).

Merton Sites and Policies Plan (adopted July 2014)

- 6.2 The relevant policies within the Sites and Policies Plan are as follows: DM.D1 (Urban design and the public realm); DM.D2 (Design considerations and the public realm); DM.E1 (Employment areas in Merton); DM.E3 (Protection of scattered employment sites); DM.E4 (Local employment opportunities); DM.EP2 (Reducing and mitigating against noise); DM.EP4 (Pollutants); DM.F2 (Sustainable drainage systems (SuDS) and; Wastewater and Water Infrastructure); DM.H2 (Housing mix); DM.H3 (Support for affordable housing); DM.O2 (Nature conservation, trees, hedges and landscape features); DM.P1 (Securing planning obligations); DM.T1 (Support for sustainable travel and active travel); DM.T2 (Transport impacts from development); and DM.T3 (Car parking and servicing standards).

Merton Supplementary Planning Guidance

- 6.3 The key supplementary planning guidance relevant to the proposals includes New Residential Development (1999); Design (2004) and Planning Obligations (2006).

Policies within the Merton LDF Core Planning Strategy (July 2011)

- 6.4 The relevant policies within the Council's Adopted Core Strategy (July 2011) are; CS 3 (Morden Town Centre) CS.8 (Housing choice); CS.9 (Housing provision); CS 12 (Economic development); CS.13 (Open space; nature conservation; leisure and culture); CS.14 (Design); CS.15 (Climate change); CS.18 (Active transport); CS.19 (Public transport); and CS.20 (Parking; servicing and delivery).

National Planning Policy Framework (March 2012)

- 6.5 The National Planning Policy Framework (NPPF) is a key part of central government reforms '*...to make the planning system less complex and more accessible, and to promote sustainable growth*'.
- 6.6 The NPPF supports the plan led system stating that development that accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework also states that the primary objective of development management should be to foster the delivery of sustainable development, and not to hinder or prevent development.
- 6.7 The NPPF states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 6.8 To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, the framework advises that local planning authorities need to approach development management decisions positively. Local planning authorities looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. The framework attaches significant weight to the benefits of economic and housing growth, the need to influence development proposals to achieve quality outcomes; and enable the delivery of sustainable development proposals.
- 6.9 The NPPF states that in assessing applications, local planning authorities should have regard to the recommendations from the design review panel. In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

7. PLANNING CONSIDERATIONS

- 7.1 The main planning considerations include assessing the principle of development in terms of the loss of the existing employment floor space; the introduction of residential accommodation, the design, scale, layout and appearance of the proposed buildings, the standard of the residential accommodation including potential ground contamination, the impact on residential amenity including privacy daylight and sunlight and the potential impact on car parking and traffic generation.

Loss of the existing employment use

- 7.2 The application land is a 'scattered employment' site which is defined as an employment site located outside a designated town centre or a designated employment area. Advice on the loss of employment uses on such sites is provided by policy DM E3 of the adopted Sites and Policies Plan. This policy aims to ensure that there is a diverse mix of size, type, tenure and location of employment facilities in the borough which can support a range of employment opportunities and the creation of balanced mixed-use neighbourhoods. Policy DM E3 lists three situations where the loss of a scattered employment site would be acceptable and these are considered below:

a) The site is located in a predominantly residential area and it can be demonstrated that its operation has had a significant adverse effect on local residential amenity;

- 7.3 The application site is located within a predominantly residential area however the site has been vacant for a significant period of time. It is considered that the redevelopment of the vacant application site and/ or more intensive use of the site for employment purposes could potentially result in future harm to residential amenity.
- 7.4 It is the Council's policy to direct storage and distribution (use class B8) to the Council's designated industrial areas (Sites and Policies DM E1). These designated industrial areas are considered more suitable for these uses as they are highly accessible by different forms of transport; they provide space to allow for the expansion of business; they allow similar businesses to locate together and ensure that neighbouring uses are more compatible with each other.
- 7.5 The application site has historically been in employment use, with the existing lawful employment use of the application site as storage and distribution (use class B8). Whilst the existing site and buildings could lawfully be used for an alternative storage and distribution use without any need for planning permission, any new buildings for employment uses are likely to require the benefit of planning permission. As the existing storage and distribution use is considered potentially damaging to residential amenity, in the event that there was a need for planning permission relating to the existing use, the Council would need to carefully whether new or replacement buildings would intensify the employment use in relation to the potential additional impact on residential amenity.

b) The size, configuration, access arrangements and other characteristics of the site makes it unsuitable and financially unviable for whole-site employment use;

- 7.6 The application site is surrounded by residential uses. Whilst a car repair workshop building is located nearby, outline planning permission has recently been approved for the residential development of this site.
- 7.7 In support of the planning application the applicant has submitted a report that followed an Employment Land Review. Following a survey of the existing site, the applicant's property consultant has reported that the buildings are in a "*...serious state of disrepair and are now physically and economically obsolete*". It is considered by the consultant that the structural design of the main building on the site makes it economically unviable to adapt for alternative tenants and the floorplates in the office building are too restrictive for the current office market. The Employment Land Review concludes that the application site is poorly located in relation to Wimbledon Town Centre where the main demand for office floor space is located and poorly related in relation to industrial locations.
- 7.8 Whilst the application site is located on the major road network and a distance of 9 miles from the M25, the direct vehicle access to the site is restricted to northbound traffic only by a central reservation in London Road. The applicant's consultant considers that the "*...loading to the factory is insufficient for modern HGVs*" with the open areas of the site providing inadequate space for large vehicles to manoeuvre.
- 7.9 The application site has been vacant for some time and it is considered by officers that significant investment would be required in the land and buildings to provide storage and distribution floor space (Use Class B8) to a modern standard. As set out earlier in this report there would also be potential residential amenity issues with the continued use of the site for storage and distribution uses.
- 7.10 Employment uses that are within the business class (use class B1) are considered by definition appropriate in residential areas. A development of B1 floor space on the application site would as a result be likely to be acceptable in principle. Whilst the principle of a development of business floor space would be acceptable, the experience of other similar sites in the borough has been that this necessary investment is unlikely to be forthcoming. This is due to the uncertainty of attracting future commercial tenants, with the location of the site, potential issues with the vehicle access and the proximity of the site to residential accommodation.

c) It has been demonstrated to the Council's satisfaction that there is no realistic prospect of employment or community use on this site in the future. This may be demonstrated by full and proper marketing.

- 7.11 The applicant has stated that the application site has been marketed for employment purposes since 2012. This marketing included sending details of the site to 500 central London estate agencies. Potential buyers that were seeking land in this area were also contacted by phone or post. The applicant

has stated that the site was also advertised on multiple property websites and marketing boards displayed outside the site.

- 7.12 It is reported that the marketing of the application site generated little interest and the interest that was expressed was not progressed for several reasons including the following reasons:
- The location in a residential area is not suitable for an office;
 - The location in a residential area is not suitable for industrial development that requires long operating hours
 - The location is not close enough to a (railway) station;
 - The site access is constrained;
 - The layout of the building is unsuitable;
 - The buildings are in disrepair and would require too much work to meet necessary standards.
- 7.13 Whilst there are limitations to the evidence submitted by the applicant (including absence of the price that the land was marketed for and no evidence of marketing for community use) officers are satisfied that there is no realistic prospect of a suitable alternative employment use being attracted to the application site. The loss of the employment land is considered acceptable in this instance and the submitted proposal is considered in line with Development Plan policy DM E3.

Need for additional housing and residential density.

- 7.14 The National Planning Policy Framework (March 2012) requires the Council to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition.
- 7.15 Policy 3.3 of the London Plan (March 2015) states that the Council will work with housing providers to provide a minimum of 4,107 additional homes in the borough between 2015 and 2025. Within this figure of 4,107 new homes, the policy states that a minimum of 411 new dwellings should be provided annually. This is an increase from the 320 dwellings annually that was set out in the earlier London Plan and in policy CS. 9 of the Core Strategy.
- 7.16 Core Strategy policy CS8 states that based on a need for a total of 4,800 homes between 2011 and 2026 a minimum of 1450 to 1800 homes will be required in this period within the Morden sub area where the application site is located. The supporting text to Core Strategy policies CS3 and CS9 state that it is anticipated that the majority of the new housing in the Morden sub area will be provided from "...the planned regeneration of Morden Town Centre as well as incremental development". The current application site is also located in an area specifically designated for intensification of residential accommodation (see Figure 13.1, page 58 of the Core Strategy).
- 7.17 The Core Strategy states that that it is expected that the delivery of new residential accommodation in the borough will be achieved in various ways including development in 'sustainable brownfield locations' and "...ensuring that it is used efficiently". (supporting text to policy CS9). The application site

is on brownfield land and is in a sustainable location adjacent to other existing residential properties. The site benefits from very good access to public transport and good access to other local facilities within Morden Town Centre without the need to use a car.

7.18 The London Plan states that in urban areas such as the application site with a Public Transport Accessibility Level of 6a, residential density should be within a range of 200 to 700 habitable rooms per hectare. With the application site covering a site area of 0.24 hectares and provision of 181 habitable rooms the residential density of the development is 338 habitable rooms per hectare.

7.19 The residential density of the proposed development is within the lower half of the recommended density range set out in the London Plan. With the consideration of other matters such as design, bulk, scale and layout, the standard of accommodation and the impact on amenity this residential density is considered acceptable in this location. The proposed development in this sustainable location will also assist in addressing the need for new residential accommodation in the borough that is identified in the London Plan and the Core Strategy.

Housing mix

7.20 Policy CS. 8 within the Council's Adopted Core Strategy (July 2011) states that the Council will seek the provision of a mix of housing types sizes and tenures at a local level to meet the needs of all sectors of the community. This includes the provision of family sized and smaller housing units.

7.21 The application site is located in an area, where there is currently a mixture of housing types with both two storey houses and a block of flats adjacent to the site in London Road. The current application provides 29 residential dwellings including 9 one bedroom, 16 two bedroom and 4 three bedroom flats.

7.22 It is considered that the proposed accommodation will increase the variety of residential accommodation available locally. The current proposal will contribute towards the creation of a socially mixed and sustainable neighbourhood in accordance with Core Strategy policy CS8.

Building layout, design and materials

7.23 The London Plan policy 7.4 requires buildings, streets and open spaces to provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in terms of orientation, scale, proportion and mass. Policy 7.6 sets out a number of key objectives for the design of new buildings including that they should be of the highest architectural quality, they should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, and buildings should have details that complement, but not necessarily replicate the local architectural character.

- 7.24 The existing buildings on application site are of poor quality and are considered to detract from the appearance of the local area. As a result subject to the design and appearance of a replacement building it is considered that the loss of the existing buildings will enhance the character of the local area.
- 7.25 The main part of the proposed building forms a 'U' shape which is set in from the property boundaries, with additions at the front and rear of the site on the lower floor levels towards the property boundaries. This 'U' shaped building footprint is similar to the layout of the nearby buildings called The Holt and Homefield. The front elevation of the proposed building is set back from the pavement and is angled to reflect the different front building lines of the two immediately adjacent residential buildings in London Road. In terms of references for the design and appearance of a replacement building, there is some variety in building design and roof form present in the local area with pitched roof houses and flatted blocks with flat roofs. The frontages of the immediately adjoining buildings in London Road are of a mock Tudor design.
- 7.26 The original development design included a four storey building at the front of the site with a flat roof. Following discussions with the applicant revisions have introduced greater interest in the front elevation with three protruding bays. These bays are three storeys high with gable end roofs and joined by flat roof sections with balconies at first and second floor levels. It is considered that the design, layout and rhythm of the proposed building makes reference to the building styles locally and the development will provide a high quality modern development on this site that will enhance the character of the surrounding area.
- 7.27 The submitted design and access statement and application form lists the proposed facing materials for the new building. The proposed facing materials include brickwork and zinc cladding on the one and two storey parts of the building and the top building storey. The flat roof areas of the building will be covered with a living (green/brown) roof apart from areas of the main roof where photovoltaic panels are proposed. The windows and door will be made of aluminium with obscured glazing to balconies where necessary to protect amenity. The proposed materials are considered in keeping with the surrounding area whilst also reflecting the contemporary design of this development.

Building scale and massing

- 7.28 The application site is located on the section of London Road between Merton Civic Centre and the Baitul Futuh Mosque, with this area consisting of development of between two and four storeys in height. On the south east side of the road Morden Court is three storeys high with a flat roof, Morden House is four storeys with a flat roof, Grosvenor Court is three and four storeys in height including a mansard roof.
- 7.29 On the north west side of London Road there are two storey houses with pitched roofs at 120 to 164 London Road and two storey buildings with pitched roofs at 190 to 220 London Road that are divided into maisonettes.

The frontage of the building known as The Holt at is three storeys high with a large pitched roof. The adjacent building called Homefield has accommodation on four floors with the fourth storey within the building roof space. The rear sections of buildings called The Holt and Homefield are three storeys high and have a flat roof.

- 7.30 In a similar design and layout to adjacent buildings called 'Homefield' and The Holt, the proposed building on the application site has been designed in two parts, a building at the front of the site facing London Road and a connected building at the rear of the site. The proposed building on the London Road frontage is three storeys high and has been designed with three vertical bays with gable roofs that are separated by flat roof sections. The flat sections of the new roof are 9.7 metres above ground, with the top of the three roof gables at a height of 12.6 metres. This front and most visible part of the proposed building is lower than the overall height of the front part of the adjacent building called Homefield, which has an roof eaves height of 8.3 metres and a roof ridge height of 13 metres.
- 7.31 The second section of the proposed building is towards the rear of the site and is between one and four storeys in height with a flat roof. The four storey part of the building (12.7 metres high) is located in the centre of the site and set back by 12.5 metres behind the main front building elevation. With the set back from the front elevation, the fourth storey of the building will be hidden in the majority of views from street level in London Road. It is also highlighted that the roof of the four storey part of the proposed building is lower than the roof ridge height of the neighbouring building Homefield.
- 7.32 The London Plan defines tall buildings as those that are a) substantially taller than their surroundings; b) that will cause a significant change to the skyline, c) or are larger than the threshold size (30 metres high) for the referral of planning applications to the Mayor of London. In terms of this criteria the proposed building is not considered a tall building. The proposed building is lower than the neighbouring building called Homefield and other nearby buildings and is not substantially taller than nearby two storey buildings in London Road (8.53 metres). The proposed building will not cause a significant change to the skyline as it is located at the end of a row buildings of a similar scale with four storey buildings located on the opposite side of London Road. The proposed building is 12.7 metres high which is less than half of the height threshold of 30 metres that requires referral to the to the Mayor of London.
- 7.33 The proposed building makes reference to the height of this adjacent three storey building and makes efficient use of the land on this site which is in a sustainable location. It is considered that the scale of the proposed building will be in keeping with the scale and massing of the proposed building on the adjacent site and the area generally.
- 7.34 A public consultation response to the planning application has referred to the 'Tall Buildings Background Paper' that was published in 2010. This document was prepared on behalf of the Council as part of the preparation of, and was subsequently superseded by the Council's Core Strategy that was

adopted in July 2011. The background paper states that in areas of predominantly two storey buildings, a new building of four storeys 'could' be considered a tall building. With the variation in the height of the buildings in the borough the paper goes on to highlight the importance of treating every site and every proposal individually, with an assessment of merits and context.

- 7.35 As set out above, after the assessment of the application site context as advised by the 'Tall Buildings Background Paper' and the height of adjacent buildings it is not considered that the development provides a 'tall building' and the proposed development is considered in keeping with adjacent development and the area generally. Whilst the application site is in an area considered appropriate for the intensification of housing development the submitted proposal has been sensitively designed in relation to the varied design and building scale present locally. With the fourth storey set back into the middle of the site and the proposed building lower than Homefield, the development will provide a transition between Homefield and the two storey properties on the other side of the London Road frontage.

Neighbour amenity

- 7.36 Policy DM D2 states that proposals for development will be expected to ensure appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy. Residential properties in Camrose Close and Cedars Road are located to the rear of the application site with the block of flats called Homefield and two storey residential properties located adjacent to the application site in London Road.

Camrose Close

- 7.37 The rear elevation of the two storey semi-detached properties at 42 and 44 Camrose Close face towards the rear part of the side boundary of the application site. The proposed development does not include any new development to the rear of 42 Camrose Close that has a rear roof addition adding a third storey to the building. An open private service road runs from Camrose Close to the side of 44 Camrose Close. This road provides access to single storey garages in the rear gardens of properties fronting London Road and a large garage in the 14 metre long rear garden of 44 Camrose Close.

- 7.38 The rear wing of the proposed building is located at the end of the service road to the side of 44 Camrose Close, with the proposed building overlapping the rear boundary of 44 Camrose Close by a distance of 4 metres. The proposed building is single storey in this location and has no windows facing towards Camrose Close.

- 7.39 The proposed building will step up from a single storey height on the boundary, to a height of two storeys at a distance of 7 metres from the rear boundary of 44 Camrose Close. Although only partly located behind the property at 44 Camrose Close, a distance of 20 metres will separate the two storey part of the new building visible above the existing garage, from the rear elevation of 44 Camrose Close. The proposed accommodation in this location

is orientated to face the front and rear of the application site, and the secondary elevation windows facing towards Camrose Close are shown as fitted with obscured glass. A planning condition is recommended to ensure that this obscure glazing is installed and maintained.

7.40 The proposed building will step up from two storeys to three storeys at a distance of 14 metres from the site boundary with 44 Camrose Close. In all new developments a separation distance of 20 metres is sought between directly facing habitable room windows above ground floor to maintain suitable privacy levels. The proposed development achieves this with a separation distance of 28 metres between the rear elevation of 44 Camrose Close and the proposed second floor windows on the side elevation of the new building. Although not located behind this property, at the closest point a distance of 29 metres will separate the rear elevation of 44 Camrose Close from the fourth storey of the proposed building.

7.41 A concern has been expressed in consultation responses that the flat roof areas would be used as an external amenity area. This flat roof is marked on the revised submitted plans as providing a 'brown biodiverse roof' (green or living roof). A planning condition is recommended to ensure that the roof area is planted and maintained as a living roof and a further condition is recommended to ensure that there is no access to the roof as an external amenity area.

7.42 With the existing commercial building on the application site, the separation distance from the rear elevation of 44 Camrose Close and the existing garage it is considered that the proposed development is acceptable in terms of daylight, sunlight, privacy and visual intrusion. With the layout and height of existing buildings it is not considered that the proposed single storey building adjacent to the application site boundary is a security risk and there has been no objection received from the secure by design officer.

Cedars Road

7.43 The three two storey pitched roof terraced properties at 19 to 21 Cedars Road are located to the rear of the application site. The property at 21 Cedars Road is closest to the application site, with a separation distance of 23 metres from the main rear elevation of 21 Cedars Road and the application site boundary. The current proposal involves the demolition of the existing commercial building that is located immediately adjacent to the rear site boundary.

7.44 The proposed new three storey building will be set back from the site boundary by a distance of 12 metres, with a separation distance of 35 metres between the proposed three storey building and the rear elevation of 21 Cedars Road. The four storey part of the new building will be separated from 21 Cedars Road by a distance of 46 metres. In line with comments made in consultation responses the existing 4 metre high brick wall along the rear of the site will be retained as part of the proposed development.

7.45 With the existing commercial building on the application site located on the rear boundary, the separation distance from the rear elevation of properties in Cedars Road it is considered that the proposed development is acceptable in terms of Cedars Road and matters relating to daylight, sunlight, privacy and visual intrusion.

Homefield

7.46 The adjacent residential building called Homefield is three storeys high and has a long (49 metres) elevation facing towards the application site. The section of this adjacent building fronting London Road has a large pitched roof with the building at the rear a flat roof. This adjacent building is located a distance of 6 metres from the boundary with the application site. The existing single storey building on the application site that is immediately adjacent to the rear part of the boundary with Homefield will be demolished as part of the proposed development.

7.47 Whilst the majority of the boundary with Homefield will be adjacent to open amenity space on the application site, the proposed development includes two single storey 4 metre high, building wings located adjacent to this boundary. There are no windows on the side of the single storey part of the building facing towards Homefield. There are proposed windows on the upper floors of the proposed building and a planning condition is recommended to ensure that the closest of these secondary windows are fitted with obscured glass and maintained as such.

7.48 At the closest point a distance of 6 metres will separate the three storey parts of the new building from the Homefield site boundary. This separation distance from the boundary is similar to the separation distance of the existing side elevation of 'Homefield' from the site boundary, with 12 metres separating the proposed elevation from the elevation of Homefield. The main four storey party of the proposed building is a distance of 16 metres from the boundary and 22 metres from the Homefield elevation.

7.49 With the location of the existing building, the single storey height of the proposed buildings, the existing 2 metre high boundary fencing, and the separation distance the proposed development considered acceptable in terms of the relationship with Homefield and matters relating to daylight, sunlight, privacy and visual intrusion.

Properties in London Road

7.50 The group of six, semi-detached two storey pitched roof properties at 154 to 164 London Road are located to the north east of the application site. The application site shares a side boundary with the property at 164 London Road.

7.51 Whilst the density of the proposed development is at the lower end of the range suggested in the London Plan, the layout of the development has sought to make efficient use of the land available with a building extending towards the rear of the application site. This layout is similar to nearby developments called Homefield and The Holt.

- 7.52 The property at 164 London Road has previously been extended with a single storey rear addition and a side addition located adjacent to the side property boundary. The proposed development includes a single storey structure (providing a covered vehicle entrance from London Road) located adjacent to the single storey part of 164 London Road. At the closest point a distance of 9 metres separates the three storey flat roof part of the new building (10 metres high) from the main side elevation of 164 London Road (9 metres high).
- 7.53 There are two secondary windows to the side elevation of the property at 164 London Road at first floor level. Whilst there are also windows located to the side of the proposed building in this location, these windows are annotated on the submitted plans as fitted with obscure glazing. A planning condition is recommended to ensure that these are fitted with obscured glass and maintained as such.
- 7.54 The side elevation of the proposed building has windows on the upper floor levels facing towards 164 London Road a large number of these windows are secondary or circulation windows and are annotated on the submitted plans as fitted with obscured glazing. A distance of 10 metres separates the closest proposed clear glazed window on the upper floors from the side boundary with 164 London Road. There is one balcony on this side of the building however this is orientated towards London Road with an obscured glass privacy screen annotated on the submitted plans that restricts views towards adjacent properties. With the layout of development locally and the separation distance from the boundary the proposal is considered acceptable in terms of the properties at 154 to 164 London Road and matters of privacy and overlooking.
- 7.55 The submitted proposal includes the demolition of the existing buildings on the application site, with the existing building on the site frontage measuring 11 metres in height and the existing commercial building at the rear of the site a height of 8 metres. The proposed four storey building at the rear of the site will be 1.7 metres higher than the existing building at the front of the application site. It is considered that with comparable height to existing buildings and the separation from the property boundary the proposed development is considered acceptable in relation to outlook, visual intrusion, daylight and sunlight in relation to 154 to 164 London Road.
- 7.56 In support of the application the applicant has also conducted a detailed daylight and sunlight assessment following the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: a guide to good practice'. The submitted proposal was found to pass this detailed assessment which concluded that all windows that could be potentially affected by the development would either meet or exceed the daylight and sunlight standards within BRE guidelines.

Standard of residential accommodation - internal layout and room sizes

- 7.57 Policy DM D2 states that proposals for development will be expected to ensure appropriate levels of sunlight and daylight, quality of living conditions,

amenity space and privacy to adjoining gardens. Policies CS8, CS9 and CS14 within the Council's Adopted Core Strategy (2011) states that the Council will require proposals for new homes to be well designed.

7.58 Policy 3.5 of the London Plan (July 2015) states that housing developments should be of the highest quality internally and externally. The London Plan states that boroughs should ensure that new development reflects the minimum internal space standards as set out as gross internal areas in table 3.3 of the London Plan.

7.59 The table provided in section 3 of this current report sets out the gross internal areas for the proposed residential accommodation. The tables show that the proposed accommodation provides good levels of internal floor space that complies with the London Plan standards. The internal layout of the accommodation is considered to make good and efficient use of the space that is available with an appropriate internal layout and good provision of natural light to all habitable rooms.

7.60 The one main point of concern set out in the Design Review Panel minutes related to the number of single aspect units and that many of these were north facing. Following the comments from the Design Review Panel the layout of the development has been revised and in the current layout 23 of the 29 units are double aspect and the 6 units that are single aspect do not face north.

Standard of residential accommodation - external amenity space

7.61 Sites and Policies Plan policy DM D2 states that developments will be expected to ensure appropriate provision of outdoor amenity space which accords appropriate minimum standards and is compatible with the character of the surrounding area. The standard within the Sites and Policies Plan states that in accordance with the London Housing Design Guide, there should be 5 square metres of external space provided for one and two person flats with an extra square metre provided for each additional bed space.

7.62 The proposed flats are each provided with private rear garden space with this amenity space provided as either garden space at ground floor level or balconies on the upper floor levels. The proposed flats would also have a communal amenity space covering 272 square metres. In conclusion it is considered by officers that the proposed residential accommodation is of a good general standard and makes efficient use of the land available on the site.

Standard of residential accommodation - lifetime Homes standards.

7.63 Policies in the London Plan and Core Strategy require all new residential properties to be built to Lifetime Home Standards. As part of the planning application the applicant has confirmed that the development aims to meet Lifetime Home Standards.

7.64 A planning condition is recommended to ensure prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to

confirm the new dwelling units meet Lifetime Homes Standards based on the relevant criteria.

Car parking

- 7.65 The application site has a public transport accessibility level (PTAL) of 6a (On a scale of 1a, 1b, and 2 to 6a, 6b where zone 6b has the greatest accessibility). This PTAL level indicates that the site has a high level of access to public transport services, one level below the maximum zone 6b. It is highlighted that the site is within walking distance of Morden Underground Station (460 metres) and Morden South Railway Station (380 metres). The application site benefits from access to the day-to-day facilities in Morden Town Centre including shops, places of employment and recreational uses.
- 7.66 Policy CS20 of the Core Strategy (July 2011) states car parking should be provided in accordance with current 'maximum' car parking standards, whilst assessing the impact of any additional on street parking on vehicle movements and road safety. Car parking standards are set out within the London Plan at table 6.2. These standards require a 'maximum' of one off street space for dwellings with one or two bedrooms and a 'maximum' of 1.5 spaces for three bedroom dwellings dependent on the location and the access to public transport. Policy 6.13 of the London Plan states that the Mayor wishes to see an appropriate balance between promoting new development and preventing excessive car parking that can undermine cycling walking and public transport use.
- 7.67 The development includes the provision of 3 off street wheelchair accessible car parking spaces. This provision is considered acceptable in this area with a high level of access to public transport and is in line with the maximum standards set out in the London Plan. It is considered that this level of off street parking provision will not harm road safety and this level of provision is supported by Transport for London as the highways authority responsible for London Road.
- 7.68 In order to reduce carbon dioxide emissions and promote sustainable transport choices the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan states that new car parking provision should include facilities to charge electric vehicles (a requirement of 20% of total spaces). A planning condition is recommended to ensure that these facilities to charge electric vehicles are provided.
- 7.69 The site is not located in a controlled parking zone, however Camrose Close and Morden Court Parade on the opposite side of Morden Road are within controlled parking zone M1 that operates between Monday to Friday 1000hrs to 1600hrs. In line with the advice from Transport for London, a planning obligation is recommended that will prevent future occupants of the proposed accommodation from obtaining on street parking permits.

Trip generation, servicing and vehicle access

- 7.70 Policy CS20 of the Core Strategy (July 2011) states that the Council will seek to implement effective traffic management by requiring developers to

demonstrate that their development will not adversely affect safety and traffic management; and to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway. The policy also requires developers to incorporate safe access to, and from the public highway.

7.71 The applicant has submitted a transport statement in support of the current planning application. This statement has been considered and it was found that the trip generation from the proposed development can be easily and safely accommodated on the existing road network.

7.72 In order to ensure that traffic and vehicles associated with the construction phase do not impact upon the public highway a planning condition is recommended seeking the submission of a Construction Logistics Plan.

7.73 The submitted plans show the provision of a loading bay at the front of the site which is the result of discussions between the highways authority (Transport for London) and the Council's Transport Planning Officer. This new loading bay is considered suitable for the servicing of the proposed accommodation. Planning conditions are recommended to ensure that the works necessary to provide this loading bay are carried out by the applicant.

Refuse storage and collection.

7.74 Policy CS20 of the Core Strategy (July 2011) states that the Council will require developers to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway.

7.75 The submitted application drawings show refuse and recycling storage areas for the new flats. These storage locations are considered acceptable in principle and a planning condition is recommended to ensure that these facilities are provided and retained for the benefit of future occupiers.

Cycling

7.76 Policy CS 18 of the adopted Core Strategy (July 2011) states that the Council will promote active transport by prioritising the safety of pedestrian, cycle and other active transport modes; by supporting schemes and infrastructure that will reduce conflict between pedestrians, cyclists and other transport modes; and encouraging design that provides, attractive, safe, covered cycle storage, cycle parking and other facilities.

7.77 The submitted application drawings show cycle storage areas for the new flats. These storage locations are considered acceptable in principle and a planning condition is recommended to seek further details of this storage, to ensure suitable provision (49 spaces), and to ensure that these facilities are provided and retained for the benefit of future occupiers.

Potential ground contamination.

7.78 The London Plan (Policy 5.21) indicates that the Mayor supports bringing contaminated land into beneficial use. Sites and Policies Plan policy Sites and

Policies Plan policy DM EP4 states that developments should seek to minimise pollutants and to reduce concentrations to levels that have minimal adverse effects on human or environment health.

- 7.79 With the previous commercial uses on the application site there is a potential for the site to suffer from ground contamination. Planning conditions are recommended that seek further site investigation work to determine whether contamination is present. If contamination is found as a result of this investigation, planning conditions would require the submission of details of measures to deal with this contamination.

Trees and landscaping

- 7.80 Policy CS.13 within the Adopted Core Strategy (2011) states that development should seek to integrate new or enhanced habitat or design and landscaping that encourages biodiversity. Sites and Policies Plan policy DM O2 states that development will not be permitted if it will damage or destroy any tree which is protected by a tree preservation order; is within a conservation area; or has significant amenity value unless the benefits of the development outweighs the tree's amenity value.

- 7.81 The application site is currently covered in either hardstanding or buildings and there are no trees on the site. It is noted that there are trees on adjacent land close to the site boundary. With the location of the building the majority of trees on adjacent land are likely to be unaffected by the development. With a single storey building proposed adjacent to the boundary works are likely to be necessary to two sycamore trees on the Homefield site.

- 7.82 The proposed building is set back from the London Road boundary with landscaping provided within the front gardens of the ground floor residential units. In response to the comments from the Design Review Panel the applicant has shown the proposed landscaping on the submitted drawings. A planning condition is recommended to seek the submission of further details of new landscaping for approval and for this landscaping to be in place prior to the occupation of the proposed new dwellings or the first planting season following occupation. A second planning condition is recommended to seek the replacement of the planting should any of it be lost within a five year period after planting.

Sustainable design and construction.

- 7.83 The Council's Core Strategy reinforces the wider sustainability objectives of the London Plan with policy CS15 requiring all development to demonstrate how the development makes effective use of resources and materials and minimises water use and CO2 emissions. The application site is currently covered in either buildings or hardstanding manoeuvring space. As part of the current application large areas of open garden space will be introduced at ground floor level with the building also providing living (brown/green) roofs.

- 7.84 On 25th March the Government issued a statement setting out steps it is taking to streamline the planning system. The changes in respect of sustainable design and construction, energy efficiency and forthcoming

changes to the Building Regulations are relevant to the current application. The Deregulation Act was given Royal Assent on 26th March. Amongst its provisions is the withdrawal of the Code for Sustainable Homes.

7.85 Until amendments to the Building Regulations come into effect the government expects local planning authorities not to set conditions with requirements above a Code level 4 equivalent. Where there is an existing plan policy which references the Code for Sustainable Homes, the Government has also stated that authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard.

7.86 In light of the government's statement and changes to the national planning framework it is recommended that conditions are not attached requiring full compliance with Code Level 4 but are attached so as to ensure the dwelling is designed and constructed to achieve CO2 reduction standards and water consumptions standards equivalent to Code for Sustainable Homes level 4.

Archaeology

7.87 The application site is in an Archaeological Priority Zone and the current application is supported by an Archaeological Desk Based Assessment commissioned by the applicant.

7.88 Historic England (formerly known as English Heritage) have not raised objections to the proposal on the basis that any planning permission is subject to a planning condition. This planning condition should require further evaluation to clarify the nature and extent of surviving remains which if necessary, be followed by a full investigation.

8. ENVIRONMENTAL IMPACT ASSESSMENT

8.1 The area of the application site is below 1 hectare and as a result the site falls outside the scope of Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In this context there is no requirement for a screening opinion or for an Environmental Impact Assessment as part of this development.

9. LOCAL FINANCIAL CONSIDERATIONS **Mayor of London Community Infrastructure Lev**

9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy (CIL), the funds for which will be used by the Mayor of London towards the 'CrossRail' project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL. The Mayor of London Community Infrastructure Levy charge that would be payable for the proposed development would be based on the charge of £35 per square metre.

London Borough of Merton Community Infrastructure Levy

9.2 After approval by the Council and independent examination by a Secretary of State appointed planning inspector, in addition to the Mayor of London levy

the Council's Community Infrastructure Levy commenced on the 1 April 2014. The liability for this levy arises upon grant of planning permission with the charge becoming payable when construction work commences.

- 9.3 The Merton Community Infrastructure Levy will allow the Council to raise, and pool, contributions from developers to help fund local infrastructure that is necessary to support new development including transport, decentralised energy, healthcare, schools, leisure and public open spaces. The provision of financial contributions towards affordable housing and site specific obligations will continue to be sought through planning obligations a separate S106 legal agreement.
- 9.4 The London Borough of Merton Community Infrastructure Levy charge that would be payable for the proposed development would be based on the charge of £115 per square metre.

Planning Obligations

- 9.5 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development;
 - fairly and reasonably related in scale and kind to the development.
- 9.6 If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission and for the Local Planning Authority to take account of S106 in granting planning permission it needs to be convinced that, without the obligation, permission should be refused.

Provision of affordable housing and other off site financial contribution towards the provision of affordable housing.

- 9.7 Policy CS. 8 within the Council's Adopted Core Strategy (July 2011) states that the Council will seek the provision of a mix of housing tenures at a local level to meet the needs of all sectors of the community including provision for those unable to compete financially in the housing market sector.
- 9.8 Having regard to characteristics such as site size, site suitability, financial viability issues and other planning contributions Core Strategy policy CS 8 states that affordable housing provision on developments of ten or more residential units should include a minimum of 40% of new units on the site as affordable housing. Within this affordable housing provision, 60% of the units should be provided as social/affordable rented and 40% as intermediate accommodation. The council are currently awaiting confirmation from the applicant that the development will meet the requirements of policy CS. 8.

Restriction for future occupants from obtaining on street car parking permit.

- 9.9 In order to encourage public transport use a planning obligation is recommended to prevent future occupants from obtaining on street car parking permits.

Monitoring and legal fees

- 9.10 As set out in the Council's adopted Supplementary Planning Guidance the s106 monitoring fees would be calculated on the basis of 5% of the monetary contribution (to be agreed). Legal fees for the preparation of the S106 agreement would need to be agreed at a later date.

10. CONCLUSION

- 10.1 The proposed development represents an effective and sustainable use of this brownfield site providing additional residential units and incorporates a design and layout sympathetic to the character of the surrounding area, whilst at the same time minimising any adverse impacts on neighbouring amenity. Accordingly, it is recommended that planning permission be granted subject to the planning conditions and planning obligations set out below.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the completion of a Section 106 Agreement and planning conditions.

S106 Heads of terms:

1. The provision of affordable housing
2. A restriction preventing future occupants from obtaining on street car parking permits.
3. The dedication of land within the ownership of the applicant to facilitate the formation of a vehicle loading bay at the front of the site.
4. The developer agreeing to meet the Council's costs of drafting the Section 106 Obligations (£ to be agreed).
5. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations (£ to be agreed).

And the following conditions:

1. Standard condition (Time period) The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission. Reason for condition: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.
2. Amended standard condition (Approved plans) The development hereby permitted shall be carried out in accordance with the following approved plans: GA-EX-SP;GA-S-01B;GA-SP-L00B;GA-P-L00B;GA-P-L01B;GA-P-L02B;GA-P-L03B;GA-P-L04B;GA-E-01B;GA-E-02B;GA-E-03B; Design and Access Statement (May 2015); Design Changes Summary; Daylight and Sunlight Report; Energy Statement, Air Quality Assessment; Noise Assessment Report; Transport Statement; Historic Environment Assessment; Marketing Report; and Employment Land Review.Reason for condition: For the avoidance of doubt and in the interests of proper planning.
3. Standard condition (Timing of construction work) No demolition or construction work or ancillary activities such as deliveries shall take place before 0800hrs or after 1800hrs Mondays to Fridays inclusive; before 0800hrs or after 1300hrs on Saturdays or at any time on Sundays or Bank Holidays. Reason for condition: To safeguard the amenities of the area and occupiers of

neighbouring properties and to ensure compliance with Sites and Policies policy DM D2.

4. Non-standard condition (Demolition dust and noise) Prior to the commencement of development (including demolition) measures shall be in place to prevent nuisance from dust and noise to surrounding occupiers with these measures in accordance with a method statement that has previously been submitted to and approved in writing to the Local Planning Authority with the approved measures retained until the completion of all site operations. Reason for condition: To protect the amenities of occupiers of neighbouring properties and to accord with Sites and Policies policy DM D2. This information is required prior to works commencing as any works on the site could potentially impact upon amenity through the generation of dust and noise.
5. Amended standard condition (Construction phase impacts) Prior to the commencement of development (including demolition) a working method statement shall be submitted to and approved in writing by the Local Planning Authority that shall include measures to accommodate: the parking of vehicles of site workers and visitors; loading and unloading of plant and materials; storage of construction plant and materials; wheel cleaning facilities; control of smell and other effluvia; control of surface water run-off. No development shall be take place that is not in full accordance with the approved method statement. Reason for condition: In the interests of vehicle and pedestrian safety and the amenities of neighbouring occupiers and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011. This information is required prior to works commencing as any works on the site could potentially impact upon amenity or vehicle and pedestrian safety.
6. Amended standard condition (Construction Logistics Plan) Prior to the commencement of development (including demolition), a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority and all works shall take place be in accordance with approved plan Reason for condition: In the interests of vehicle and pedestrian safety and the amenities of local residents to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011. This information is required prior to works commencing as any works on the site could potentially impact upon vehicle and pedestrian safety.
7. Amended standard condition (External materials) Prior to the commencement of development details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, (notwithstanding any materials specified in the application form and/or the approved drawings), shall have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details. Reason for condition To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and

D3 of Merton's Sites and Polices Plan 2014. This information is required prior to works commencing as the Council would need to be satisfied that the materials are acceptable prior to construction work commencing

8. Non-standard condition (Land contamination – site investigation) Prior to the commencement of development (including demolition) a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved by the Local Planning Authority with the agreed measures in place prior to first occupation of any residential unit. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Polices policy DM EP4. For the protection of Controlled Waters. The site is located over a Secondary Aquifer, within Source Protection Zone 2 (SPZ2) and it is understood that the site may be affected by historic contamination. This information is required prior to works commencing as any works on the site could potentially impact upon any contamination that may be present.
9. Non-standard condition (Land contamination – site investigation) The submitted scheme to deal with the risks associated with contamination of the site shall include 1) a preliminary risk assessment identifying all previous uses and potential contaminants, a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination. 2) A site investigation scheme, based on 1 providing information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3) The results of the site investigation and detailed risk assessment including an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in 3 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Polices policy DM EP4. For the protection of Controlled Waters. The site is located over a Secondary Aquifer, within Source Protection Zone 2 (SPZ2) and it is understood that the site may be affected by historic contamination. This information is required prior to works commencing as any works on the site could potentially impact upon any contamination that may be present.
10. Non-standard condition (Land contamination – construction phase) If during development further contamination is encountered which has not previously been identified and considered the Council's Environmental Health Section shall be notified immediately and (unless otherwise agreed in writing with the Local Planning Authority) no further development shall take place until remediation proposals (detailing all investigative works and sampling, together with the results of analysis, risk assessment to any receptors and proposed remediation strategy detailing proposals for remediation) have been submitted to and approved by the Local Planning Authority and the approved remediation measures/treatments implemented in full. Reason for condition: In order to protect the health of future occupiers of the site and adjoining

areas as there is always the potential for unexpected contamination to be identified during development groundworks and in accordance with Sites and Policies policy DM EP4. For the protection of Controlled Waters. The site is located over a Secondary Aquifer, within Source Protection Zone 2 (SPZ2) and it is understood that the site may be affected by historic contamination.

11. Non-standard condition (Land contamination – validation) Prior to first occupation of the proposed new dwellings a verification report shall be submitted to and approved, in writing, by the local planning authority demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Policies policy DM EP4. For the protection of Controlled Waters. The site is located over a Secondary Aquifer, within Source Protection Zone 2 (SPZ2) and it is understood that the site may be affected by historic contamination.
12. Amended standard condition (Archaeology - commencement) Prior to the commencement of development (including demolition) the applicant (or their heirs and successors in title) shall have secured the implementation of a programme of archaeological investigation that is in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the local planning authority with the development (including demolition) proceeding in full accordance with the approved Written Scheme of Investigation. Reason for condition: In order to provide the opportunity to record the history of the site and to comply with Sites and Policies policy DM D2. This information is required prior to works commencing as any works on the site could potentially impact upon any archaeological remains that may be present.
13. Amended standard condition (Archaeology - occupation) Prior to first occupation of the proposed new dwellings or commercial floorspace the site investigation and post investigation assessment shall have been completed in accordance with the programme set out in the Written Scheme of Investigation approved under the preceding planning condition and provision made for the analysis, publication and dissemination of the results and archive deposition secured. Reason for condition: In order to provide the opportunity to record the history of the site and to comply with Sites and Policies policy DM D2
14. Non-standard condition (Details of walls and fences) Prior to first occupation of the proposed new dwellings or commercial floorspace and notwithstanding what is shown on the submitted drawings walls and fences or other means of

enclosure shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the walls and fences or other means of enclosure retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure a satisfactory and safe development in accordance with Sites and Policies Plan policies DM D1, DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.

15. Non Standard Condition (Green roof) Prior to the occupation of any part of the development a green roof shall be in place that is in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The green roof shall be maintained in accordance with the approved plan for the lifetime of the development. Reason for condition To enhance the appearance of the development, the amenities of the area and to improve the management of surface water runoff in accordance with policy CS13 of the Adopted Core Strategy (July 2011) and DM D1 and DM F2 of Merton's Sites and Policies Plan 2014.
16. Amended standard condition (Service vehicle lay-by) The applicant shall enter into a Section 278 Agreement with the highways authority in order to create the vehicle lay-by on London Road with a shared surface. All approved works, including any diversions of statutory undertakers equipment, and necessary signage and restrictions on delivery and car parking shall be completed prior to the occupation of any part of the approved development. Reason for condition: In the interests of the safety of pedestrians and vehicles and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011.
17. Non-standard condition (Landscaping and footway improvement) The applicant shall enter into a Section 278 Agreement with the Council in relation to a landscaping and footway improvement scheme for the open land adjacent to the frontage of the site. All approved works, shall be completed prior to the occupation of any part of the development. Reason for condition: In the interests of the safety of pedestrians and vehicles and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011.
18. Amended standard condition (Landscaping) Prior to first occupation of the proposed new dwellings landscaping shall be in place that is in accordance with a landscaping scheme that has previously been submitted to and approved in writing by the Local Planning Authority with the landscaping scheme to include on a plan, full details of the size, species, spacing, quantities and location of plants, and measures to increase biodiversity together with any hard surfacing and means of enclosure. Reason for condition: To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy CS13 of the Adopted Merton Core Planning Strategy 2011.
19. Non Standard Condition (Landscape Management Plan) Prior to first occupation of the proposed new dwellings a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for open space within the site and all communal and

incidental landscaped areas within the site shall be submitted to and approved in writing by the Local Planning Authority. The landscape shall be managed in accordance with the approved management plan unless otherwise agreed in writing by the Local Planning Authority. Reason for condition To enhance the appearance of the development and the amenities of the area in accordance with policy CS13 of the Adopted Core Strategy (July 2011).

20. Non-standard condition (Sustainability) Prior to first occupation of the proposed new dwellings evidence shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the development has achieved not less than the CO2 reductions (ENE1) (a 25% reduction compared to 2010 part L regulations), and internal water usage (WAT1) (105 litres/p/day) standards equivalent to Code for Sustainable Homes level 4. Reason for condition: To ensure the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies 5.2 of the Adopted London Plan 2015 and CS 15 of the Adopted Merton Core Planning Strategy 2011.
21. Amended standard condition (Lifetime homes) Prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to confirm the new dwelling units meet Lifetime Homes Standards based on the relevant criteria. Reason for condition: To meet the changing needs of households and comply with policy CS8 of the Adopted Core Strategy (July 2011).
22. Amended standard condition (Screening of external amenity areas) Prior to first occupation of the proposed new dwellings screening to the proposed external amenity areas above ground floor shall be in place that is in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority with the approved screening maintained permanently thereafter. Reason for condition: To safeguard the privacy and amenities of the occupiers of neighbouring properties and to comply with Sites and Policies Plan policy DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.
23. Amended standard condition (Obscure glazing) Before the development hereby permitted is first occupied, the windows in the approved building elevation drawings as shown fitted with obscure glazing shall be glazed with obscure glass and fixed shut and shall permanently maintained as such thereafter. Reason for condition: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Polices Plan 2014.
24. Non-standard condition (Car parking spaces) Prior to first occupation of the proposed new dwellings details of how the car parking spaces are allocated to individual residential units and details of electric vehicle charging points in accordance with the London Plan, shall be submitted to and approved in writing by the Local Planning Authority with the car parking spaces shown on

the approved drawing to serve the development and the charging points provided and thereafter kept free from obstruction and retained for parking purposes for users of the development and for no other purpose. Reason for condition: To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011, the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan

25. Non-standard condition (Cycle storage and parking) Prior to first occupation of the proposed new dwellings cycle storage for occupiers or users and cycle parking for visitors for the relevant floor space shall be in place that is accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the cycle storage and parking retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of cycles and to comply with policy CS18 of the Adopted Core Strategy (July 2011).
26. Non-standard condition (Refuse and recycling facilities) Prior to first occupation of the proposed new dwellings refuse and recycling facilities shall be in place for the relevant floor space that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the refuse and recycling facilities retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with policies CS13 and CS14 of the Adopted Core Strategy (July 2011).
27. Amended standard condition (External Lighting) Any new external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary. Reason for condition In order to safeguard the amenities of the area, the occupiers of neighbouring properties and wildlife using the green corridor at the rear of the site and to ensure compliance with Sites and policy DM D2 and policies CS13 and CS14 of the Adopted Merton Core Planning Strategy 2011.

INFORMATIVES:

- a) The applicant is advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application. In this instance the Planning Committee considered the application where the applicant or agent had the opportunity to speak to the committee and promote the application.
- b) The applicant is advised that details of Lifetime Homes standards can be found at www.lifetimehomes.org.uk

- c) The applicant is advised to contact Transport for London before undertaking any works within the Public Highway in order to obtain the necessary approvals and/or licences.
- d) The applicant is advised that the demolition works should avoid the bird nesting and bat roosting season. This avoids disturbing birds and bats during a critical period and will assist in preventing possible contravention of the Wildlife and Countryside Act 1981, which seeks to protect nesting birds/bats and their nests/roosts. Buildings should also be inspected for bird nests and bat roosts prior to demolition. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside Act 1981. If bats are found, Natural England should be contacted for advice (telephone: 020 7831 6922).
- e) The applicant is reminded of the need to comply with the Control of Asbestos Regulations 2012 in relation to the demolition of the existing buildings on the application site, with further advice available at the following link: <http://www.hse.gov.uk/asbestos/regulations.htm>.
- f) The applicant is advised that archaeological written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs. Archaeological monitoring of geotechnical investigations would be a suitable initial method of evaluating deposit survival on the site. The findings will inform the requirement for further evaluation. Should significant archaeological remains be encountered, mitigation comprising further archaeological fieldwork is likely to be necessary.
- g) The applicant is advised that the footway and carriageway on London Road Morden should remain clear during the construction period; that all vehicles should only park or stop at permitted locations and within the time periods permitted by existing on-street restrictions and that no skips or construction materials shall be kept on the footway or carriageway at any time.

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This map is based on Ordnance Survey material with the permission of Ordnance Survey on behalf of HMSO. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or Civil proceedings. London Borough of Merton 100019259. 2012.

166-168 London Rd

Morden

Scale 1/1250

Date 30/6/2015

London Borough of Merton
100 London Road
Morden
Surrey
SM4 5DX



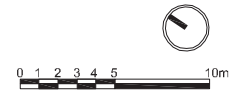
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drawing SITE PLAN	scale: 1/200 @ A1	job no: 1099

note: all dimensions to be checked on site prior to commencement of the work. If the drawing exceeds the quantities being ordered the client must be informed before the work is commenced. For all other drawings, plan drawing additional courses do not scale, use dimensions. This drawing is for planning purposes only.	drawing no. GA-SP-L00	rev. B
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rev.	date	description	issued by	checked by
/	22.08.14	ISSUED FOR PLANNING	JB	AW
A	22.04.15	REVISED FOR PLANNING	DJ	AW
B	15.05.15	REVISED FOR PLANNING	DJ	AW



OUTLINE PLANNING PERMISSION GRANTED FOR NORTHOLT WORKS SCHEME (Ref. 14/P2917)



job: NORTH LODGE, 166-168 LONDON ROAD SM4 5AT	drawn: JG	date: 10.13
drawing: GROUND FLOOR PLAN	scale: 1/100 @ A1 1/200 @ A3	job no: 1099
note: all dimensions to be checked on site at commencement of work. If this drawing exceeds the quantities being ordered, the client must ensure it is known before the work is commenced. For all other drawings, plan drawing accession courses do not scale, use dimensions. This drawing is for the use of the client only.	drawing no: GA-P-L00	rev: B

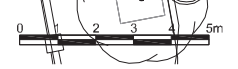
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A	22.04.15	REVISED FOR PLANNING	DJ	AW
B	15.05.15	REVISED FOR PLANNING	DJ	AW



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LONDON ROAD

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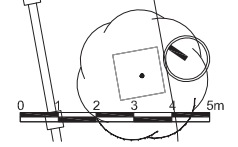
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drawing	FIRST FLOOR PLAN	scale:	1/100 @ A1 1/200 @ A3	job no:	1099
note:	All dimensions to be checked on site. If the drawing exceeds the quantities to be used, the client must be informed before the work commences. For all other purposes, this drawing is for information only and does not constitute a contract. This drawing is copyright.				
drawing no.	GA-P-L01	rev.	B		

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job NORTH LODGE, 166-168 LONDON ROAD SM4 5AT	drawn: JG	date: 10.13
drawing SECOND FLOOR PLAN	scale: 1/100 @ A1 1/200 @ A3	job no: 1099
note: all dimensions to be checked on site before commencement of the work, if this drawing exceeds the quantities to be used, the client must be informed before the work commences. For all dimensions, unless otherwise stated, dimensions are to the face of the work.		drawing no. GA-P-L02
revisions		rev. B

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B	15.05.15	REVISED FOR PLANNING	DJ	AW



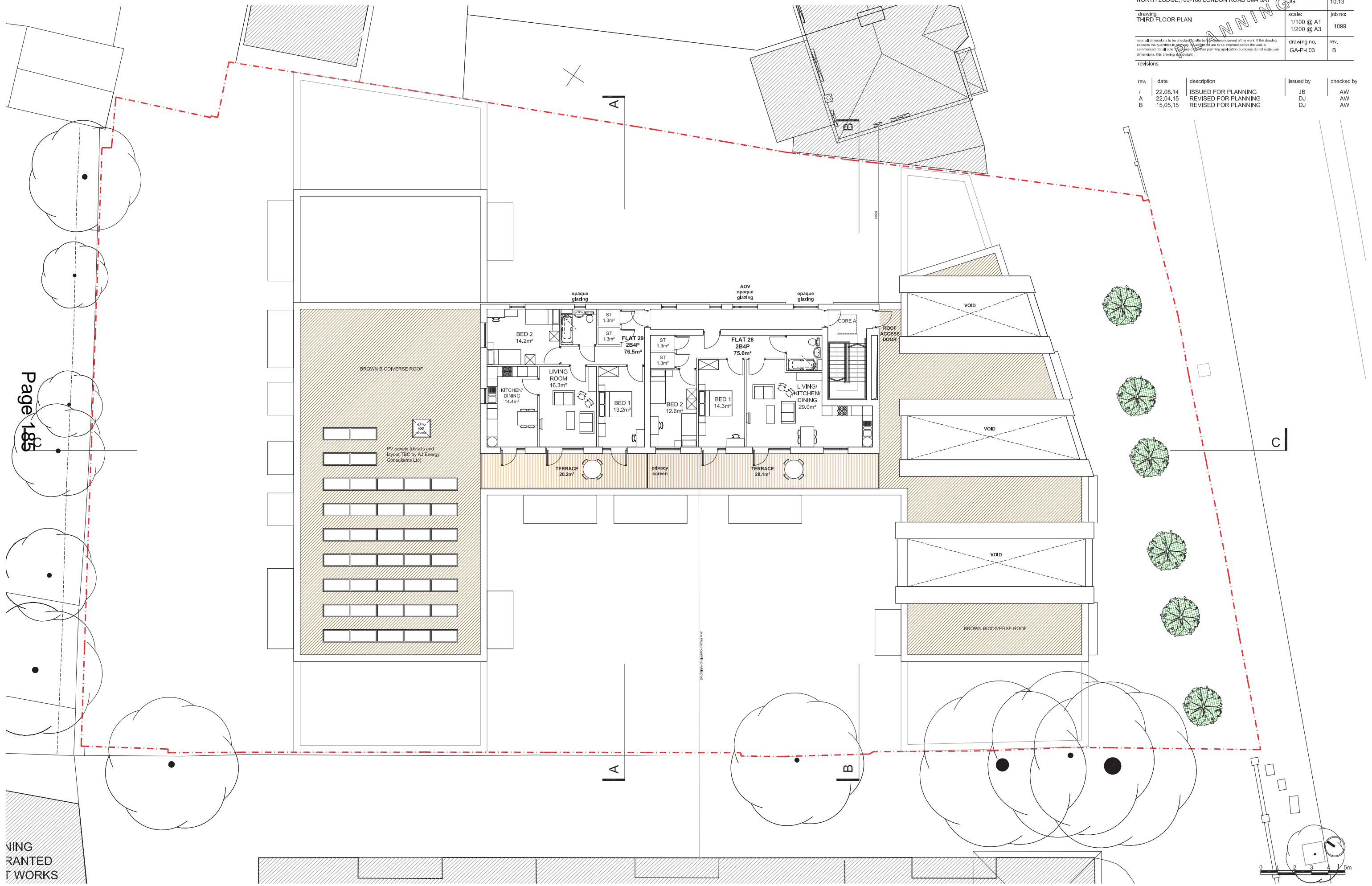
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drawing	scale:	job no:
THIRD FLOOR PLAN	1/100 @ A1 1/200 @ A3	1099

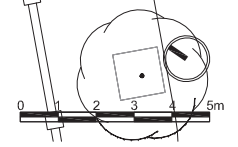
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	GA-P-L03	B

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B	15.05.15	REVISED FOR PLANNING	DJ	AW



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PLANNING
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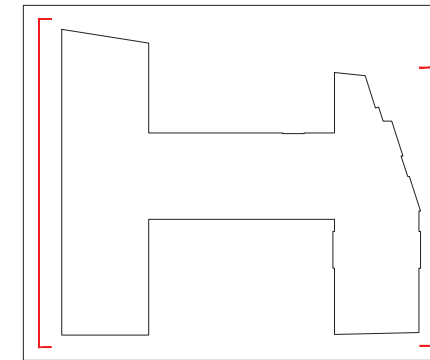
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drawing PROPOSED FRONT AND REAR ELEVATIONS SOUTH-EAST AND NORTH-WEST	scale: 1/100 @ A1 1/200 @ A3	job no: 1099

note: all dimensions to be checked on site before commencement of the work. If the drawing exceeds the quantities to be ordered, the quantities are to be confirmed before the work is commenced, for all other purposes than planning application purposes do not scale, use dimensions, this drawing is copyright.	drawing no. GA-E-01	rev. B
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B	15.05.15	REVISED FOR PLANNING	DJ	AW

MATERIAL KEY:			
01	LIGHT RED STOCK BRICK (e.g. HAMLET ANTIQUE BY WIENERBERGER)	07	PPC ALUMINIUM BOX CANOPIES: 'DUSTY GREY' - RAL 7037
02	ZINC CLADDING - HORIZONTAL STANDING SEAM 'ANTHRA-ZINC' BY VM.ZINC OR SIMILAR APPROVED	05	OBSCURE GLASS BALUSTRADE WITH SECRET FIXINGS
03	ZINC CLADDING - VERTICAL STANDING SEAM 'ANTHRA-ZINC' BY VM.ZINC OR SIMILAR APPROVED	06	OBSCURE GLASS PRIVACY SCREENS (1.8M)
04	PPC ALUMINIUM COMPOSITE WINDOW FRAMES AND DOORS: 'DUSTY GREY' - RAL 7037	08	ROUND RWP'S: 'ANTHRACITE GREY' - RAL 7016
09	PV PANELS ON GREEN ROOF		



KEY PLAN 1:500



SOUTH-EAST (FRONT) ELEVATION



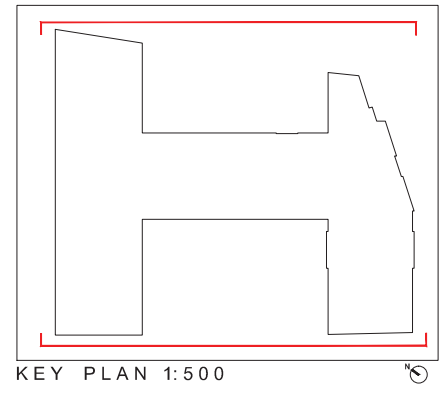
NORTH-WEST (REAR) ELEVATION

job	NORTH LODGE, 166-168 LONDON ROAD SM4 5AT	drawn:	JG	date:	10.13
drawing	PROPOSED SIDE ELEVATIONS SOUTH-WEST AND NORTH-EAST	scale:	1/100 @ A1 1/200 @ A3	job no:	1099

note:	all dimensions to be checked on site before commencement of the work. if this drawing exceeds the quantities to be ordered, the quantities are to be informed before the work is commenced. for all other purposes, when planning application purposes do not scale, use dimensions, this drawing copyright.	drawing no.	GA-E-02	rev.	B
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MATERIAL KEY:			
01	LIGHT RED STOCK BRICK (e.g. HAMLET ANTIQUE BY WIENERBERGER)	07	PPC ALUMINIUM BOX CANOPIES: 'DUSTY GREY' - RAL 7037
02	ZINC CLADDING - HORIZONTAL STANDING SEAM 'ANTHRA-ZINC' BY VM ZINC OR SIMILAR APPROVED	08	ROUND RWPS: 'ANTHRACITE GREY' - RAL 7016
03	ZINC CLADDING - VERTICAL STANDING SEAM 'ANTHRA-ZINC' BY VM ZINC OR SIMILAR APPROVED	09	PV PANELS ON GREEN ROOF
04	PPC ALUMINIUM COMPOSITE WINDOW FRAMES AND DOORS: 'DUSTY GREY' - RAL 7037		
05	OBSURE GLASS BALUSTRADE WITH SECRET FIXINGS		
06	OBSURE GLASS PRIVACY SCREENS (1.8M)		



SOUTH-WEST ELEVATION



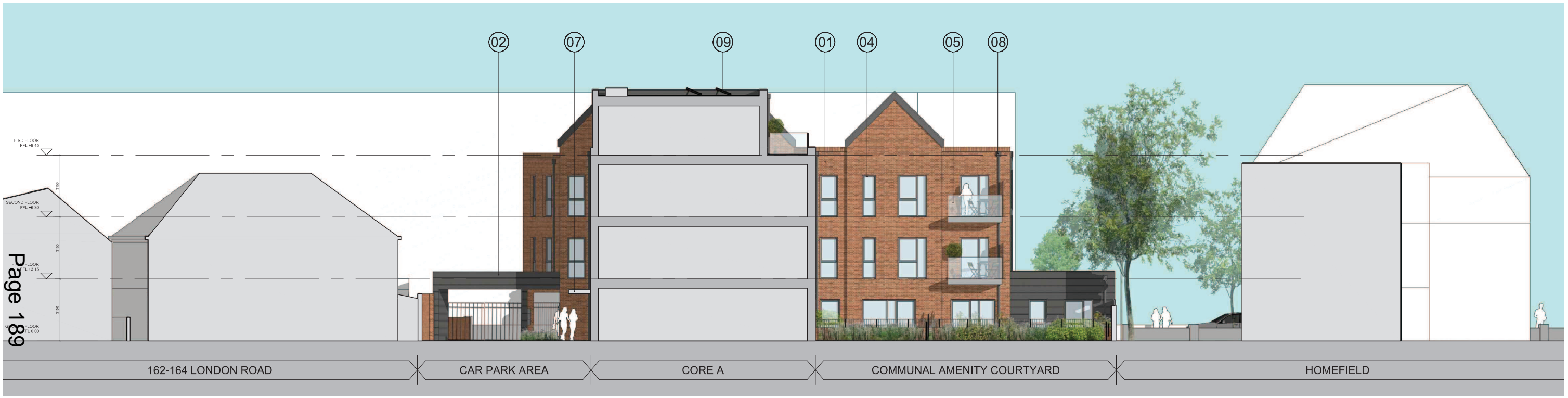
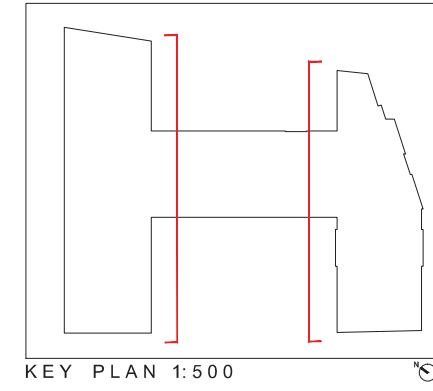
NORTH-EAST ELEVATION

job	NORTH LODGE, 166-168 LONDON ROAD SM4 5AT	drawn:	JG	date:	10.13
drawing	PROPOSED COURTYARD ELEVATIONS SOUTH-EAST AND NORTH-WEST	scale:	1/100 @ A1 1/200 @ A3	job no:	1099
drawing no.	GA-E-03	rev.	B		

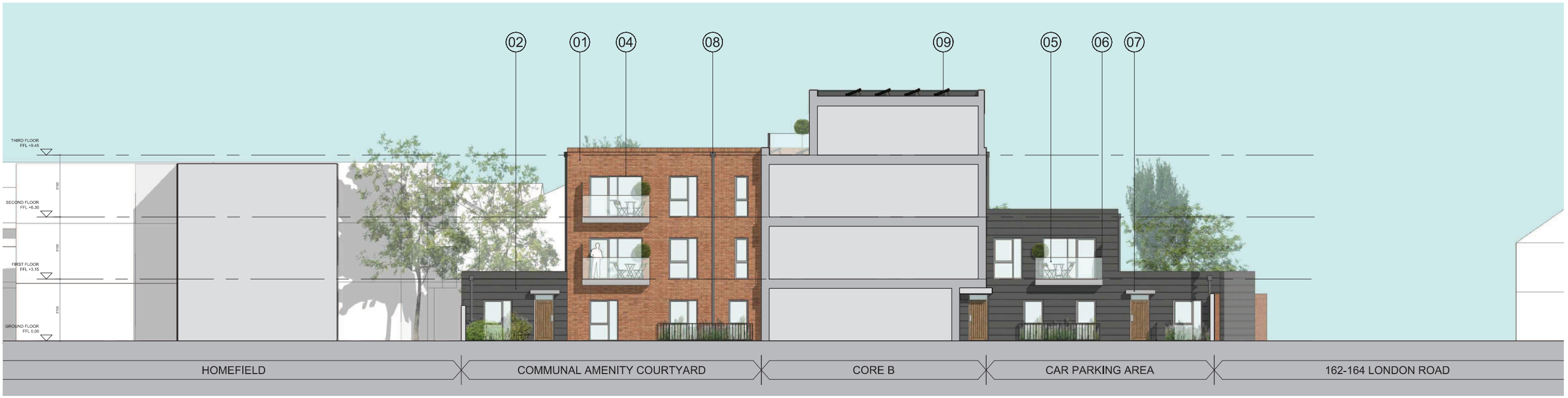
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09	PV PANELS ON GREEN ROOF		



SOUTH-EAST COURTYARD ELEVATION



NORTH-WEST COURTYARD ELEVATION



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Committee: Planning Applications

Date: 16th July 2015

:

Wards: All

Subject: Planning Appeal Decisions

Lead officer: Head of Sustainable Communities

Lead member: Chair, Planning Applications Committee

Contact officer: Stuart Humphryes

Recommendation:

That Members note the contents of the report.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 For Members' information recent decisions made by Inspectors appointed by the Secretary of State for Communities and Local Government in respect of recent Town Planning Appeals are set out below.
- 1.2 The relevant Inspectors decision letters are not attached to this report, but can be seen on the Council web-site with the other agenda papers for this meeting at the following link:

http://www.merton.gov.uk/council/committee.htm?view=committee&com_id=165

DETAILS

Application Number: **14/P1342**
Site: 522 Kingston Road, London SW20 8DT
Development: Partial demolition of building with reconfiguration of existing shop and flat including roof terrace and rear roof extension and erection of 2 x dwellings
Recommendation: Refuse Permission (*Delegated Decision*)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 15th June 2015

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000084000/1000084235/14P1342_Appeal%20Decision%20Notice.pdf

Application Number: **14/P3132**
Site: 8 Hazelbury Close, London SW19 3JL
Development: Demolition of bungalow and erection of 2 storey dwelling
Recommendation: Refuse Permission (*Delegated Decision*)
Appeal Decision: **ALLOWED**
Costs Decision: Refused
Date of Appeal Decision: 11th June 2015

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000085000/1000085820/14P3132_Appeal%20Decision%20Notice.pdf

Link to Costs Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000085000/1000085820/14P3132_Appeal%20Costs%20Decision.pdf

Application Number: **14/P1983**
Site: Flat B, 278 Durnsford Road, London SW19 8DT
Development: Erection of 2 storey rear extension & rear roof extension
Recommendation: Refuse Permission (*Delegated Decision*)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 18th June 2015

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000084000/1000084775/14P1983_Appeal%20Decision%20Notice.pdf

Application Number: **14/P2241**
Site: 41-47 Wimbledon Hill Road, London, SW19 7NA
Development: Part demolition and extension of A1/A2/A3 use on ground floor and basement. Conversion of upper floors of office & college space to 23 x flats with residential entrance on Alwyne Road.
Recommendation: Refuse Permission (*Delegated Decision*)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 5th June 2015

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000084000/1000084980/14P2241_Appeal%20Decision%20Notice.pdf

Alternative options

- 3.1 The appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for re-determination. It does not follow necessarily that the original appeal decision will be reversed when it is re-determined.
- 3.2 The Council may wish to consider taking legal advice before embarking on a challenge. The following applies: Under the provision of Section 288 of the Town & Country Planning Act 1990, or Section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a person or an establishment who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the following grounds: -
 1. That the decision is not within the powers of the Act; or
 2. That any of the relevant requirements have not been complied with; (relevant requirements means any requirements of the 1990 Act or of the Tribunal's Land Enquiries Act 1992, or of any Order, Regulation or Rule made under those Acts).

1 CONSULTATION UNDERTAKEN OR PROPOSED

- 1.1. None required for the purposes of this report.

2 TIMETABLE

- 2.1. N/A

3 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 3.1. There are financial implications for the Council in respect of appeal decisions where costs are awarded against the Council.

4 LEGAL AND STATUTORY IMPLICATIONS

- 4.1. An Inspector's decision may be challenged in the High Court, within 6 weeks of the date of the decision letter (see above).

5 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 5.1. None for the purposes of this report.

6 CRIME AND DISORDER IMPLICATIONS

- 6.1. None for the purposes of this report.

7 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 7.1. See 6.1 above.

8 BACKGROUND PAPERS

- 8.1. The papers used to compile this report are the Council's Development Control service's Town Planning files relating to the sites referred to above and the agendas and minutes of the Planning Applications Committee where relevant.

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Committee: Planning Applications Committee

Date: 16th July 2015

Agenda item:

Wards: All

Subject: PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES

Lead officer: HEAD OF SUSTAINABLE COMMUNITIES

Lead member: COUNCILLOR LINDA KIRBY, CHAIR, PLANNING APPLICATIONS COMMITTEE

Contact Officer Sam Amoako-Adofo: 0208 545 3111
sam.amoako-adofo@merton.gov.uk

Recommendation:

That Members note the contents of the report.

1. Purpose of report and executive summary

This report details a summary of case work being dealt with by the Planning Enforcement Team and contains figures of the number of different types of cases being progressed, with brief summaries of all new enforcement notices and the progress of all enforcement appeals.

Current Enforcement Cases:	886 ¹ (912)	New Appeals:	3 (0)
New Complaints	35 (85)	Instructions to Legal	3
Cases Closed	61 (99)	Existing Appeals	4 (1)
No Breach:	41	<hr/>	
Breach Ceased:	20	TREE ISSUES	
NFA ² (see below):	-	Tree Applications Received	48 (42)
Total	61 (99)	% Determined within time limits:	90%
New Enforcement Notices Issued		High Hedges Complaint	0 (0)
Breach of Condition Notice:	0	New Tree Preservation Orders (TPO)	3 (1)
New Enforcement Notice issued	4	Tree Replacement Notice	0
S.215: ³	0	Tree/High Hedge Appeal	0
Others (PCN, TSN)	0		
Total	4 (0)		
Prosecutions: (instructed)	0 (0)		

Note (*figures are for the period (9th June – 6th July 2015)*). The figure for current enforcement cases was taken directly from M3 crystal report.

¹ Totals in brackets are previous month's figures

² confirmed breach but not expedient to take further action.

³ S215 Notice: Land Adversely Affecting Amenity of Neighbourhood.

2.00 New Enforcement Actions

- 2.01 18 Morton Road, Morden SM4** The Council served an enforcement notice on 29th June 2015 against the erection of an outbuilding with a requirement to demolish the structure within two months of the effective date of the notice which comes into effect on 6th August unless there is an appeal prior to that date.
- 2.02 32 Consfield Avenue** The Council issued an enforcement notice on 24th June 2015 against the unauthorised erection of a single storey rear extension. The notice would come into effect on 30th July 2015 unless there is an appeal prior to that date. The main requirement is to remove the structure within one month of the effective date.
- 2.03 3 Crown Lane, Morden SM4** An enforcement notice was issued on 22nd June 2015 against the unauthorised erection of a second single storey extension with wooden timber posts. The notice would come into effect on 26th July 2015 unless there is an appeal prior to that date. The main requirement of the notice is for the unauthorised extension to be demolished within two months.

- 2.04 43 Approach Road, Raynes Park SW20.** An enforcement notice was issued on 4th June 2015 against the installation of a roof terrace with a requirement to cease its use and remove all facilitating fixtures such as balustrade. The compliance period is one month of the effective date of 15th July 2015 unless there is an appeal prior to that date.

Some Recent Enforcement Actions

- 2.05 Tooting Medical Centre, 5 London Road, Tooting SW17.** The Council served an enforcement notice on 9th April 2015 against the erection of a wooden panelled fence and a metal structure situated on top of the single storey rear part of the premises. The notice would take effect on 20th May 2015 unless an appeal is made before that date. The requirement is to remove the structure and the compliance period would be one month.
- 2.06 49 London Road, London SW17 9JR.** An enforcement notice was issued on 8/4/15 against the installation of here condenser/ventilation units to the rear elevation of the outrigger extension on the land. The notice would come into effect on 19th May 2015 unless there is an appeal prior to that date. The requirements are for the unauthorised units and associated fixtures and fittings to be removed and the resulting debris also removed from the land within one month of the effective date.
- 2.07 25 Malcolm Road Wimbledon SW19** A section 215 (Amenity Land) Notice was issued on 10th September 2014 to require remedial works to the land involving the removal of hoarding, bamboo fencing, plastic sheeting on an existing car port, a marquee, a skip and also clear the land of abandoned building materials, wooden pallet and general waste. The notice came into effect on 9th October 2014 (28 days after service) as there was no appeal against the notice. Some works have been carried out to tidy the site.

There has been no further progress so consideration is being given to the possibility of taking direct action.

- 2.08 Burn Bullock, 315 London Road, Mitcham CR4.** A Listed Buildings Repair Notice (LBRN) was issued on 27th August 2014 to require a schedule of works to be carried out for the preservation of the Building which is listed. The notice came into effect immediately and as a first step requires the owner to submit an application for planning and listed building consent by 27th October 2014 for consideration. The schedule of works covering the roof and rainwater goods, masonry, chimney, render repairs, woodwork, glazing external and internal repairs, should be completed within five months of the approval date.

Listed Building Consent was granted on 3rd March 2015 for most of the works which cover 1) the roof and rainwater goods, 2) masonry, chimney and render repairs 3) woodwork, glazing and both internal and external repairs. The required works have started and officers have been informed that scaffolding would be erected soon to support the external and high level works. Officers were concerned about the section of the application which covers the Tudor part of the building so this was reserved for English Heritage's advice and involvement.

The required archaeological survey recommended by English Heritage has been given the go ahead.

Scaffolding has now been erected to facilitate the external works.

2.09 Burn Bullock, 315 London Road, Mitcham CR4 - An enforcement notice was issued on 9th July 2014 against the material change of use of the car park on the land for the sale of motor vehicles. The notice came into effect on 20th August 2014 as there was no appeal prior to that date and the compliance period would expire by 20th October 2014 (2 calendar months). The car sales business has ceased in compliance with the requirements of the notice. Cars have been removed from the front car park and the site tidied up but there are a significant number left in the rear car park.

More cars have now been removed from the site and this is expected to continue until the site is cleared.

3.0 New Enforcement Appeals

- **163 Central Road, Morden SM4**, An enforcement notice was issued on 9th April 2015 against the unauthorised conversion of an outbuilding into residential accommodation. The notice would have come into effect on 19th May 2015 but an appeal has now been registered. The requirements are for the unauthorised use to cease and the landlord to remove all partitions, facilities, fixtures and fittings facilitating the use of the outbuilding as a bedsit within four months.
- **14 St James Road, Mitcham**, An enforcement notice was issued on 29th April 2015 against the unauthorised conversion of the property into two flats. An appeal has been registered and is proceeding by written representation. If the appeal is dismissed and the notice is upheld, the requirements would be for the owners to cease the use of the property as flats and remove all fittings and partitions facilitating the unauthorised use within three months.
- **204 Tamworth Lane, Mitcham CR4**, - An enforcement notice was issued on 11th May 2015 against the unauthorised erection of a second single storey rear extension and raised patio. An appeal has been registered and is proceeding under written representation. The main requirement of the notice is for the unauthorised extension to be demolished within 3 months.

3.1 Existing enforcement appeals

- **Land and premises known as 336 Lynmouth Avenue, Morden SM4**. An enforcement notice was issued on 1st September 2014 against the unauthorised change of use of the land to a mixed use comprising a dwellinghouse and hostel accommodation involving the use of an outbuilding to the rear of the land as student accommodation. The compliance period would be 2 calendar months and the requirements are for the unauthorised use to cease and the removal of the wooden decking and banister at the front of the outbuilding. The Council's final statement was sent on 27th March 2015. We are now awaiting an inspector site visit date.

3.2 Appeals determined –

None

3.3 Prosecution case.

None

3.4 Requested update from PAC

38 Alwyne Road (formerly Worcester Hotel), Wimbledon, SW19 – Councillor David Holden referred to the complaint submitted to the Development Control Team alleging that this site had been converted illegally from a family dwelling house to flats.

An enforcement case (ref 15/E0215) has been logged and this is being investigated. The hotel use has ceased. There are no external works to the property at the moment but it appears to be internal refurbishment in compliance with the current permission to return the property to residential

4. Consultation undertaken or proposed

None required for the purposes of this report

5 Timetable

N/A

6. Financial, resource and property implications

N/A

7. Legal and statutory implications

N/A

8. Human rights, equalities and community cohesion implications

N/A

9. Crime and disorder implications

N/A

10. Risk Management and Health and Safety implications.

N/A

11. Appendices – the following documents are to be published with this report and form part of the report Background Papers

N/A

12. Background Papers

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